

# MAYOR & COUNCIL AGENDA COVER SHEET

## MEETING DATE:

**September 18, 2006**

## CALL TO PODIUM:

**Rob Robinson, Planner**

## RESPONSIBLE STAFF:

**Rob Robinson, Planner**

## AGENDA ITEM:

(please check one)

	Presentation
	Proclamation/Certificate
	Appointment
<b>x</b>	Public Hearing Joint
	Historic District
	Consent Item
	Ordinance
	Resolution
	Policy Discussion
	Work Session Discussion Item
	Other:

## PUBLIC HEARING HISTORY:

(Please complete this section if agenda item is a public hearing)

Introduced	NA
Advertised	08-30-2006
	09-06-2006
Hearing Date	09-18-2006
Record Held Open	
Policy Discussion	

## TITLE: JOINT PUBLIC HEARING

**Z-303(o)** is an application to rezone 1.2099 acres of land, currently known as Lot P-87, the Duane Property, located off Old Game Preserve Road between Arrowsmith Court and Travis Avenue in the City of Gaithersburg, from the existing C-2 (General Commercial) Zone to the E-1 (Urban Employment) Zone, under the Optional Method of rezoning, in accordance with §24-196 (map amendments) and §24-198 (optional method) of the City Code.

## SUPPORTING BACKGROUND:

The applicant, Travis Avenue Self Storage LLC, represented by Mr. Jody Kline of Miller, Miller and Canby, requests the rezoning of the Duane Property, located off Old Game Preserve Road between Arrowsmith Court and Travis Avenue, from the C-2 (General Commercial) Zone to E-1 (Urban Employment) Zone. The applicant has selected the optional method of rezoning (Section 24-198 of the City Ordinance) which requires the submission of a schematic development plan as part of the rezoning application and a proposed covenant restricting the use.

The property, Lot P-87, is 1.2099 acres in size. The property was identified as Map Designation 56 in the Land Use Plan of the 2003 Master Plan update. The applicant is proposing to build a four-story, with basement, self-storage facility with accessory office and residential uses, as defined in the covenants. The proposed Gross Floor Area of this structure is 100,000 square feet.

### Attachments:

Index of Memoranda and exhibits (**In Bold**).

## DESIRED OUTCOME:

**Conduct Public Hearing**

**Suggested Record:**

**October 19 - Close Planning Commission record (30 days)**

**November 1 - Planning Commission Recommendation**

**November 9- Close City Council record (51 days)**

**November 20- Policy discussion City Council**

Joint Public Hearing  
Mayor and City Council  
And Planning Commission  
September 18, 2006

**INDEX OF MEMORANDA  
Z-303 (o)**

- | <b>No.</b> | <b>Exhibit</b>  |
|------------|---|
| <b>1)</b>  | <b>Application for Amendment to the Zoning Map for Lot P-87, Duane Property filed July 17, 2006</b>                   |
| <b>2)</b>  | <b>Aerial Location Map</b>  |
| <b>3)</b>  | <b>E-mail from Mr. Rob Robinson, Planner, to Mr. Jody Kline, Esq., Applicant Representative, dated July 20, 2006.</b> |
| <b>4)</b>  | <b>Adjoining and Adjacent Property Owners Provided by Applicant</b>   |
| <b>5)</b>  | <b>Applicant's Statement in Support of Rezoning</b>   |
| <b>6)</b>  | <b>Identification Plat Titled "P-87 Duane Property" 11"x 17"</b>  |
| <b>7)</b>  | <b>Schedule "A" Metes and Bounds Duane Property description</b>   |
| <b>8)</b>  | <b>Map Showing Surrounding Zoning</b>   |
| <b>9)</b>  | <b>Draft Declaration of Covenants</b>   |
| <b>10)</b> | <b>Schematic Development Plan under Optional Method of Application 11" x 17"</b>                                      |
| <b>11)</b> | <b>Approved NRI/FSD 11" x 17"</b>   |
| <b>12)</b> | <b>Preliminary Forest Conservation Plan 11" x 17"</b>   |
| <b>13)</b> | <b>Excerpt from Adopted City Land Use Master Plan: Map Designation 56</b>   |
| <b>14)</b> | <b>Tax Assessment Ownership Record Report</b>   |
| <b>15)</b> | <b>Excerpt Zoning Ordinance Section 24-198 Optional Method</b>  |
| <b>16)</b> | <b>Excerpt Zoning Ordinance Section 24-151 for E-1 Zone</b>   |
| <b>17)</b> | <b>Identification Plat Titled "P-87 Duane Property" 24"x 36"</b>  |
| <b>18)</b> | <b>Schematic Development Plan under Optional Method of Application 24" x 36"</b>                                      |
| <b>19)</b> | <b>Approved NRI/FSD 24" x 36"</b>   |

- 20) Preliminary Forest Conservation Plan 24" x 36"**
- 21) E-mail from Mr. Gregory Leck to Ms. Myriam Gonzalez 7/26/2006**
- 22) E-mail from Mr. Rob Robinson to Mr. Jody Kline 7/28/2006**
- 23) Letter from Ms. Vic Bryant, MHG, to Mr. Rob Robinson; received 8/4/2006**
- 24) Sight Distance Evaluation**
- 25) Proposed Improvements to Old Game Preserve Road**
- 26) Storm Drainage Study**
- 27) Revised Schematic Development Plan, 8/4/2006 11" x 17"**
- 28) Revised Schematic Development Plan, 8/4/2006 24" x 36"**
- 29) Letter from Ms. Norma Thacker, Washington Suburban Sanitary Commission, to Mr. Rob Robinson, August 8, 2006**
- 30) Letter to Gazette requesting legal advertisement of Joint Public Hearing in the August 30 and September 6, 2006, issues**
- 31) E-mail from Mr. Eli Golfer, Environmental Specialist, to Mr. Frank Johnson, MHG, regarding Forest Conservation Plan**
- 32) Drainage Area Study Plan-Proposed Conditions 11" x 17"**
- 33) Drainage Area Study Plan-Proposed Conditions 24" x 36"**
- 34) Letter from Mr. Jody Kline to Mr. Rob Robinson August, 15, 2006, with attachments**
- 35) Revised Schematic Development Plan, 8/4/2006 showing turning radius 11" x 17"**
- 36) Revised Schematic Development Plan, 8/4/2006 showing turning radius 24" x 36"**
- 37) Revised Forest Conservation Plan, 8/18/2006 11" x 17"**
- 38) Revised Schematic Development Plan, 8/18/2006 11" x 17"**
- 39) Revised Truck Turning Plan, 8/18/2006 11" x 17"**
- 40) Revised Forest Conservation Plan, 8/18/2006 24" x 36"**
- 41) Revised Schematic Development Plan, 8/18/2006 24" x 36"**
- 42) Revised Truck Turning Plan, 8/18/2006 24" x 36"**
- 43) Concept South Elevation 8/18/2006 11" x 17"**

- 44) Concept West Elevation 8/18/2006 11" x 17"**
- 45) Concept North Elevation 8/18/2006 11" x 17"**
- 46) Concept East Elevation 8/18/2006 11" x 17"**
- 47) Concept South Elevation 8/18/2006 24" x 36"**
- 48) Concept West Elevation 8/18/2006 24" x 36"**
- 49) Concept North Elevation 8/18/2006 24" x 36"**
- 50) Concept East Elevation 8/18/2006 24" x 36"**
- 51) Letter from Mr. Jody Kline to Mr. Rob Robinson August 18, 2006**
- 52) Revised Declaration of Covenants, August 18, 2006**
- 53) Copy of Notice of Joint Public Hearing, Mailed August 31, 2006**
- 54) Notification mailing list**
- 55) Letter from Mr. Jody Kline to Mr. Dan Hardy, Maryland National Capital Park & Planning Commission (MNCPPC) August 25, 2006**
- 56) E-mail with attachments from Mr. Ivan Humberson, Fire Marshall, City of Gaithersburg, to Ms. Vic Bryant, MHG, regarding emergency vehicle access. August 25, 2006**
- 57) Gazette Newspaper Certification of Publication for Notice of Public Hearing in the August 30 & September 6, 2006 editions**
- 58) Applicant's supplemental statement in support of rezoning. September 13, 2006**

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 plancode@gaithersburgmd.gov • www.gaithersburgmd.gov

## AMENDMENT TO THE ZONING MAP

In accordance with Chapter 24, Article VIII of the City Code

Application No. Z- <u>2-3036</u>
Filing Date <u>7-17-06</u>
Fee <u>2,000 p.d.</u>
PC Hearing _____
PC Recommendation _____
M & CC Hearing _____
Decision _____
Date _____

**SUBJECT PROPERTY** DUANE PROPERTY

Address (if none, the location with respect to streets) Off Frederick Road near Arrowsmith Court

Lot Parcel 87 Block \_\_\_\_\_ Subdivision \_\_\_\_\_

Tax Map FT 23

**REQUESTED CHANGE**

From the existing C-2 Zone to the E-1 Zone

☒ Optional Method of Development (check if applicable)

\*Note: The optional method is excluded from the RA Zone and the MXD Zone.

**APPLICANT(S)** TRAVIS AVENUE SELF STORAGE LLC

Address 6704 Tulip Hill Terrace, Bethesda, MD 20816 Telephone \_\_\_\_\_

**OWNER(S)** FRANKLIN J. and REGINA S. DUANE

Address 625 2nd Street S., Naples, FL 34102-8627 Telephone \_\_\_\_\_

**TAX ASSESSMENT INFORMATION**

As shown on the tax docket of the State Department of Assessment and Taxation, Montgomery County, or on the Montgomery County, Maryland Real Estate Tax Bill.

DISTRICT SUBDIVISION	ACCOUNT NUMBER	LOT	BLOCK	ACRES/FEET	<del>SECTION</del> TRACT NAME
9 -	00775464	P-87	-	52,707 SF	Res on Younger Bros. & Charles & John
9 -					
9 -					
9 -					
9 -					
9 -					

**ZONING HISTORY**

List below the application numbers, date of filing, and actions taken on all applications filed within 3 years prior to this date for the reclassification of the whole or any part of the land above described.

APPLICATION #	DATE FILED	ACTION TAKEN

continued on reverse side



## SUBMISSION REQUIREMENTS

- **Map or plat** prepared by registered surveyor or engineer showing land and existing buildings for which the map amendment is sought, the bordering properties, streets and street names, lot and block designations, north arrow and key map, age and location of existing buildings, property size in acres/square feet. The area which is the subject of the application should be outlined in red. (10 copies)
- **Legal metes and bounds** of property
- **Fee** (see separate schedule)
- **List of names and addresses** of all property owners within 200 feet of any boundary of subject property
- **Statement** demonstrating a change in the neighborhood or a mistake in the Master Plan

### *If Optional Method submit also:*

- **Schematic Development Plan** (which needs to include):
  - Uses of all buildings and structures
  - Location, height, dimensions of all buildings, structures, and parking areas, dimensions of all buildings
  - Location of points of access to site
  - Existing topography (contours of not more than 5-foot intervals) 100-year flood plains, and other natural features
  - Utility Easements
  - Natural Resource Inventory (See Environmental Standards)
- **Proposed Covenant**
- **Statements:**

Applicant proposes to limit uses on the subject parcel to the following: See SDP and attached Declaration of Covenants

Applicant has submitted Schematic Development Plan which imposes the following limitations of development standards: See SDP and attached Declaration of Covenants

## ADDITIONAL INFORMATION

Within five (5) days after filing the application, the applicant shall erect appropriate signs, posting notice of the requested zoning map amendment public hearing (per Section 24-196e of the City Code). The signs are made available to the applicant from the City staff and must remain posted until thirty (30) days after the decision on the application.

I have read and complied with the submission requirements and affirm that all statements contained herein are true and correct.

TRAVIS AVENUE SELF STORAGE LLC

Applicant's Signature

By:

Jody S. Kline

Date

14 JULY 2006

Owner's Signature

By:

Jody S. Kline

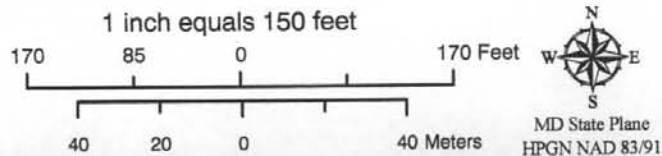
Date

14 JULY 2006

Z-303(o)

Duane Property

ProjectName.mxd • 11-Jan-2006 • zzz

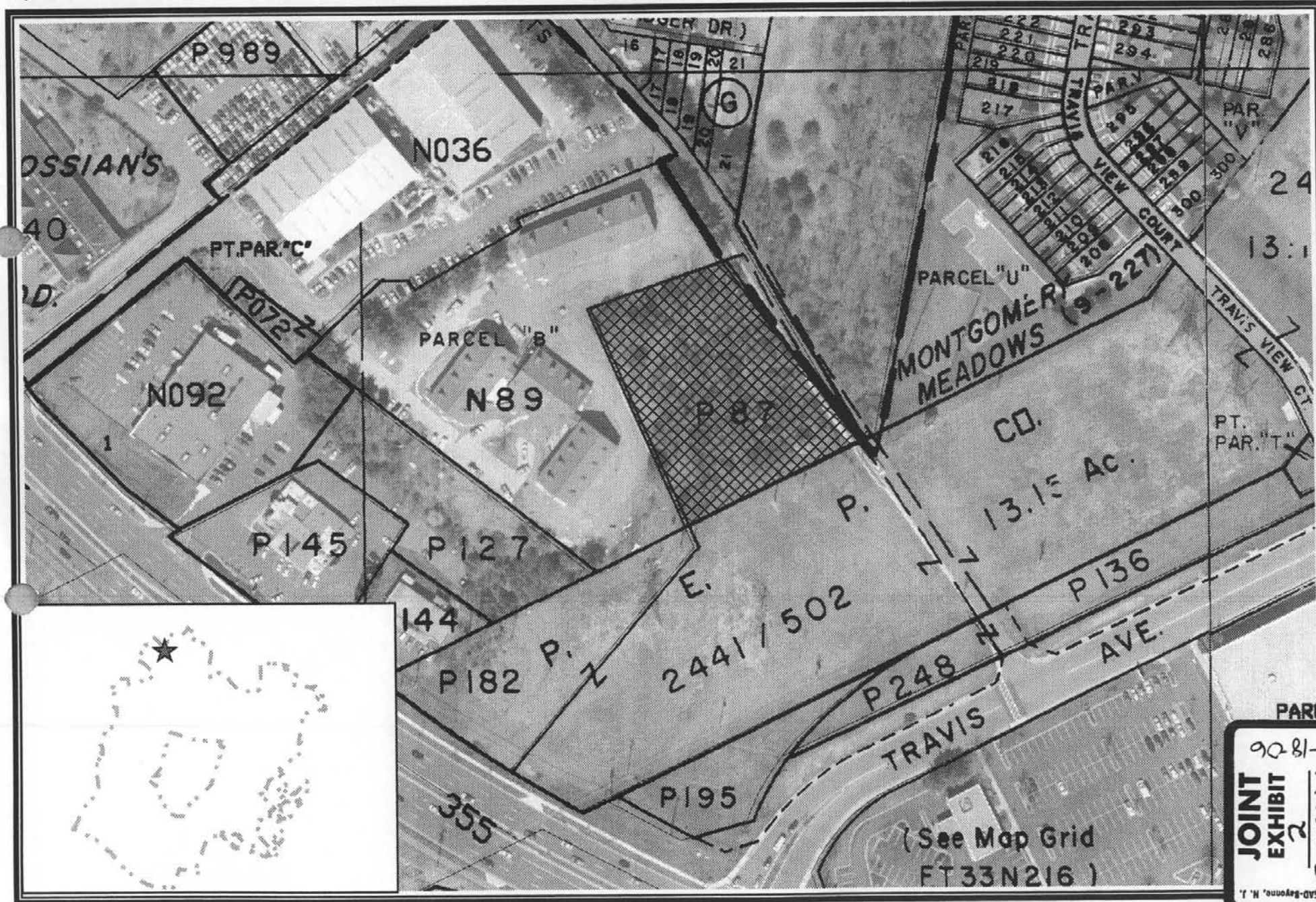


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90-81-6  
JOINT  
EXHIBIT  
2  
Z-3036  
PENGAD-Beynon, N. J.

**From:** Rob Robinson  
**To:** Kline , Jody  
**Date:** 07/20/2006 2:43:14 PM  
**Subject:** Duane annexation

Hi Jody,

As a followup to our conversation this morning (7-20-06). The application for Z-303(o), the rezoning of the Duane property, still needs the submission of a Forest Conservation Plan, in accordance with Sec. 24-198 (5)b. of the Zoning Ordinance, to be considered complete. Once I receive the FCP and the application is complete, within five days of that date, the notifications will be mailed and hearing-date notification signs posted. Thanks for your help,

Rob

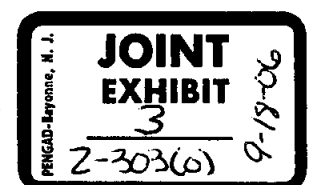
Rob Robinson  
Planner  
City of Gaithersburg

301-258-6330 x 2122  
301-258-6336 (fax)

31 S. Summit Ave.  
Gaithersburg MD. 20877

RRobinson@Gaithersburgmd.gov

**CC:** Schwarz, Trudy





**LIST OF ADJOINING & CONFRONTING PROPERTY OWNERS WITHIN 200 FEET  
TRAVIS AVENUE SELF STORAGE LLC**

NAME	ADDRESS	LOT/BLOCK
Arrowsmith Court LC	4800 Montgomery Ln., Suite 920 Bethesda, MD 20814-3456	P-949
Potomac Electric Power Company	c/o Corporate Tax Dept., St. 5617 701 9 <sup>th</sup> Street, N.W. Washington, D. C. 20068-0001	P-182 & P-923
Miranda, LLC	P. O. Box 5691 Derwood, MD 20855-0691	P-127
Prospect Limited Partnership	11411 Rockville Pike Kensington, MD 20895-1011	N-036
Montgomery County, MD	101 Monroe Street Rockville, MD 20850-2503	N-089
<i>MONTGOMERY MEADOWS</i>		
Lakeforest Glen Homeowners Association, Inc.	204 Monroe Street, Suite 201 Rockville, MD 20850-4425	Parcel U
<i>SENECA WHETSTONE</i>		
Housing Opp. Commission of Montgomery County	10400 Detrick Avenue Kensington, MD 20895-2440	Block G, Lot 20
E. George & R. M. Pilligua	10814 Badger Drive Gaithersburg, MD 20879-3119	Block G, Lot 19
Indira E. Gendendaram	10816 Badger Drive Gaithersburg, MD 20879-3119	Block G, Lot 18
Housing Opp. Commission of Montgomery County	1400 Fenwick Lane Silver Spring, MD 20910-3351	Block G, Lot 17
Jose C. & Elena M. Hernandez	10820 Badger Drive Gaithersburg, MD 20879-3119	Block G, Lot 16
Nicholas Pendleton & Michelle Castellanas	10810 Badger Drive Gaithersburg, MD 20879-3119	Block G, Lot 21



*APPLICANT'S REPRESENTATIVE*

Jody S. Kline, Esquire  
Miller, Miller & Canby  
200B Monroe Street  
Rockville, MD 20850

**IN THE MATTER OF THE APPLICATION OF : Zoning Application**  
**TRAVIS AVENUE SELF STORAGE LLC : No. Z \_\_\_\_\_(0)**  
**FOR REZONING FROM THE C-2 TO THE E-1 ZONE:**

Travis Avenue Self Storage LLC, the Applicant in the subject zoning case, submits the following information in support of its request to rezone the subject property to the E-1 (Urban Employment) zone.

**JOINT  
EXHIBIT**  
5  
2-303(o) 9-18-06

It will be in the public interest to grant the requested rezoning for the following reasons summarized below:

1. The subject property can be readily served by public sewer and water facilities
2. The use will cause no impact on public education facilities.
3. Traffic to be generated by the proposed use will be less than many permitted C-2 uses which generally are heavier traffic generators.
4. The limitations placed on the size and use of the subject property guarantee its compatibility with surrounding land uses.
5. The proposed development will place an attractive, functional building on a parcel of land which has for too long been dormant and under maintained.

Regarding the satisfaction of the standard for rezoning ("change or mistake"), the 1997 Neighborhood 6 Land Use Plan recommends C-2 zoning for the subject property consistent with other properties lying between Route 355 and Game Preserve Road. Subsequent to that action, the City has changed the land use designation in the Master Plan for the subject property in the surrounding area. This change in land use recommendation recognizes the difficulty of developing the subject property with commercial uses. The subject application accomplishes the following:

- A. Brings the zoning into conformance with the Master Plan recommendation.
- B. Brings the potential land use of the subject property more in keeping with uses located to the north between Route 355 and Game Preserve Road.

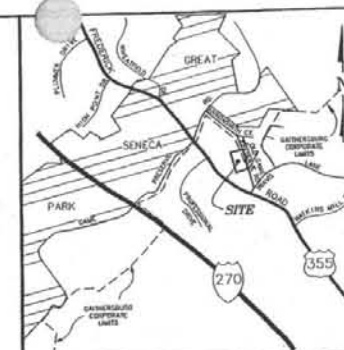
While there has not been overwhelming change in the zoning neighborhood, nevertheless the City Council can recognize the principle of "change or mistake" in the rezoning cases that the quantum of change necessary to rezone a subject property is determined by the existing classification and the classification sought by the applicant. In this instance, the existing C-2 zoning

of the City's most comprehensive and "intense" commercial zone. The E-1 zone sought by the applicant is a "lower intensity" zone, particularly as restricted by the limitations of the schematic development plan filed under the Optional method of application. Furthermore, the development standards of the E-1 zone (height, yard requirements, etc.) demonstrate that the E-1 zone is intended to result in development that is less intense than typically found in the C-2 areas, such development being more in keeping with the scale of development surrounding the subject property.

In summary, the property is, in effect, being "down zoned" from a more intensive commercial classification to a less intense commercial/employment classification. Accordingly, the standard of "change or mistake" that is necessary to support such a rezoning is modest.

Therefore, it can be argued that placing the subject property in the C-2 zone was a "mistake" that can be rectified by this zoning application. Indeed the E-1 zone is the proper zone to correct this situation. The Master Plan recommendation of I-3 zoning for the property cannot or should not be implemented, because the minimum lot size in the I-3 zone is greater than the acreage of the subject property.

Travis Avenue Self Storage LLC therefore requests that the City favorably consider and grant the subject zoning application for the reasons set forth above.



VICINITY MAP  
SCALE 1" = 2,000'

- GENERAL NOTES
1. Property is zoned C-2.
  2. Horizontal Datum is based on Maryland State Plane NAD 83/91.
  3. The locations of existing underground utilities are shown in their approximate locations as per available utility company records. The exact location of all underground utilities should be verified by "Miss Utility" prior to excavation. Macris, Hendricks & Glascock, P.A. does not express or imply any guarantee or warranty as to the location or existence of any underground utility.
  4. Certification defined - The use of the word certify or certification by a Professional Land Surveyor in the practice of land surveying, constitutes an expression of professional opinion regarding those facts of findings which are the subject of the certification and does not constitute a warranty or guarantee, either expressed or implied.
  5. Subsurface and environmental conditions were not examined or considered as a part of this survey. No statement is made concerning the existence of underground or overhead containers or facilities that may affect the use or development of this tract.

SURVEYOR'S CERTIFICATE

I certify to the best of my professional knowledge, information and belief that the survey shown hereon is correct; (i) that it was performed by a transit-tape survey completed May 1, 2006 and this survey was performed by me or under my supervision and is in conformance with Title 9, Subtitle 13, Chapter 6, Section 12 of the Minimum Standards of Practice for Land Surveyors; (ii) that it is all the property conveyed to Franklin J. Duane and Regina S. Duane, by deed dated September 23, 1986 and recorded among the Land Records of Montgomery County, Maryland in Liber 7329 at Folio 172; (iii) that, except as shown hereon, there are no visible easements or rights-of-way on said property or any other easements or rights-of-way which the undersigned has been advised.

Date 6/7/06

*Douglas H. Riggs III*  
Macris, Hendricks, & Glascock, P.A.  
By: Douglas H. Riggs III  
Professional Land Surveyor  
Maryland Reg. No. 10712



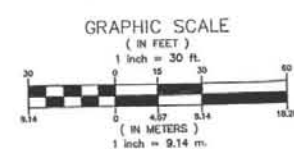
FRANKLIN J. DUANE et. ux.  
L. 7329 F. 172  
52,955 sq. ft.  
1.21566 Acres

(No Buildings on Site)

GAME PRESERVE ROAD  
Variable Width Public Right-of-Way



PEPCO  
L2442 E 314  
Q250' R/W



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PREPARED FOR:  
TCG STORAGE, LLC.  
9001 Congressional Court  
Potomac, MD 20854  
Phone 301-299-8616

TAX MAP FT 123 WSSC 225 NW 11

PROPERTY IDENTIFICATION PLAT  
P 87  
**DUANE PROPERTY**  
L. 7329 F. 172  
-City of Gaithersburg-  
NINTH ELECTION DISTRICT - MONTGOMERY COUNTY - MARYLAND

	Macris, Hendricks & Glascock, P.A. Engineers • Planners Landscape Architects • Surveyors	Proj. Mgr. Designer DHR
	9220 Wightman Road, Suite 120 Montgomery Village, Maryland 20886-1279	Date 5-11-
	Phone 301.870.0840 Fax 301.948.0693 www.mhga.com	Project 06.113

**JOINT EXHIBIT**  
6  
2-3036  
9-18-06

SCHEDULE "A"  
PROPERTY DESCRIPTION  
DUANE PROPERTY

Being a parcel of land located in the City of Gaithersburg, Ninth Election District of Montgomery County, Maryland and being all of the land conveyed by Edward W. Schultze to Franklin J. Duane et ux by deed dated September 23, 1985 and recorded among the Land Records of Montgomery County, Maryland in Liber 7329 at Folio 172 and being more particularly described in the Maryland State Plane NAD 83/91 Datum by Macris, Hendricks, & Glascock, P.A. as follows:

Beginning at a point on the northerly limits of a 250' Potomac Electric Power Company right-of-way, said point also being at the end of the easterly or South 23°57'21" East, 273.74 foot line of Parcel "B" as delineated on a Plat of Correction entitled "Musser's Addition to Gaithersburg" as recorded among the aforesaid Land Records as Plat No. 14644, then binding reversely with said line and also with the first (1<sup>st</sup>) line of said Liber 7329 at Folio 172 as now surveyed:

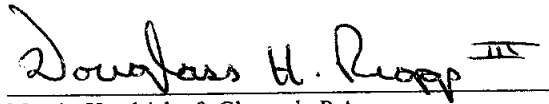
1. North 23°55'17" West, 273.74 feet to a point, then continuing with the  
platted limits of said Parcel "B" and the second (2<sup>nd</sup>) line  
of said Liber 7329 at Folio 172
2. North 69°55'47" East, 172.92 feet to a point, then
3. South 36°33'35" East, 260.00 feet to a point, said point being on the  
aforementioned Pepco R/W, then binding with said right-  
of-way
4. South 63°58'28" West, 229.57 feet to the point of beginning; containing



1.21568 acres of land.

Parcel I.D. = 09-00775464

Certified correct to the best of my professional knowledge, information and belief and this description was prepared by me and is in conformance with Title 9, Subtitle 13, Chapter 6, Section .12 of the Minimum Standards of Practice for Land Surveyors. If the seal and signature are not violet colored, the document is a copy that should be assumed to contain unauthorized alterations. The certification contained on this document shall not apply to any copies.



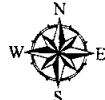
Macris, Hendricks & Glascock, P.A.  
Douglass H. Riggs, III, Professional Land Surveyor  
Maryland Registration No. 10712



SA001DHR  
06-113



# Z-303(o) Duane Property Area Zoning Map



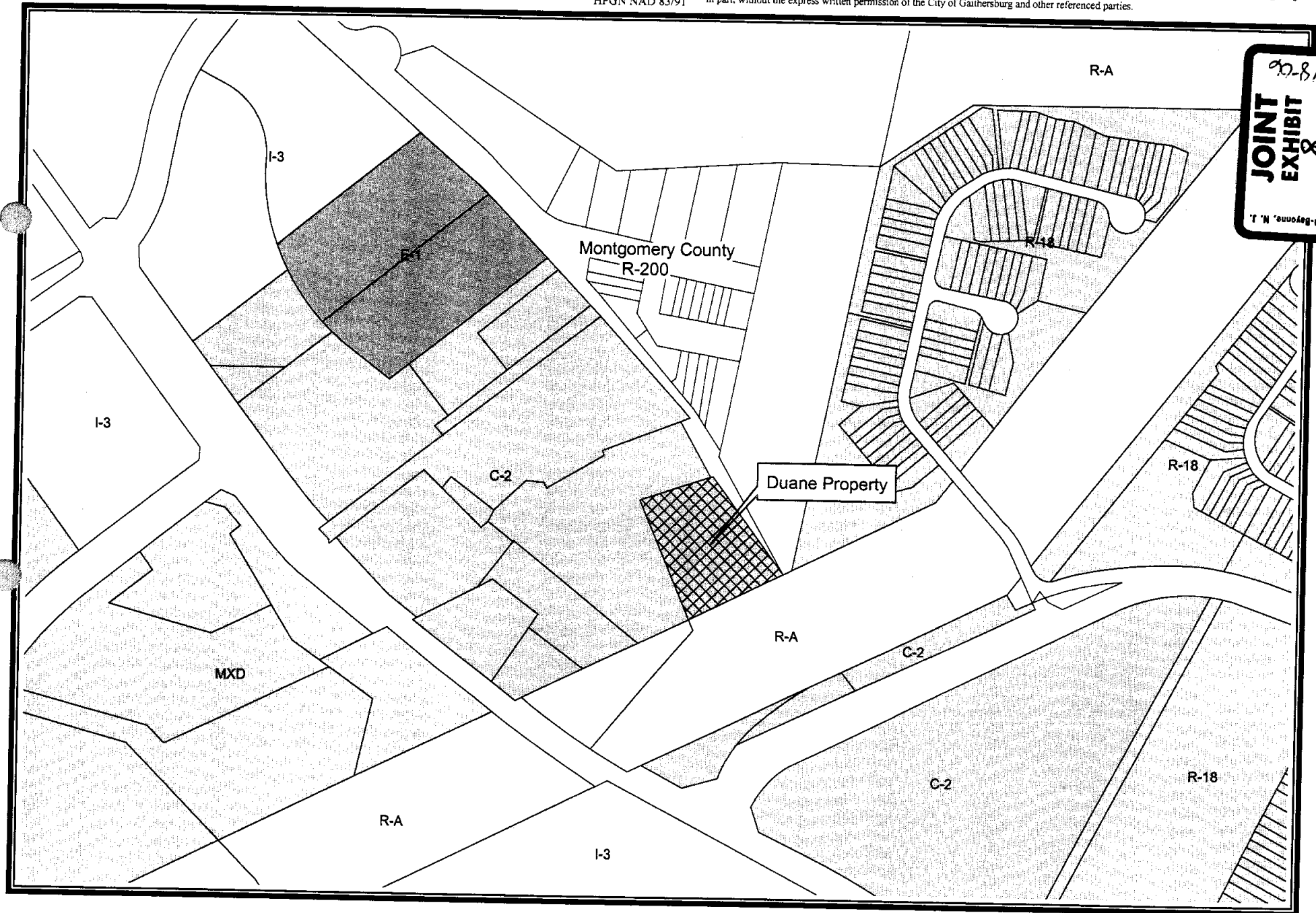
MD State Plane  
HPGN NAD 83/91

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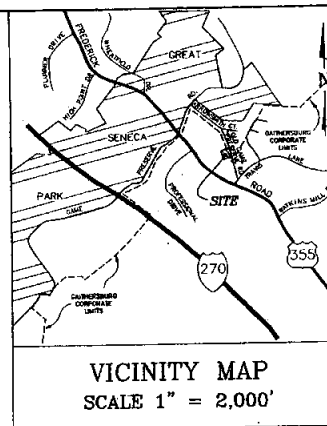
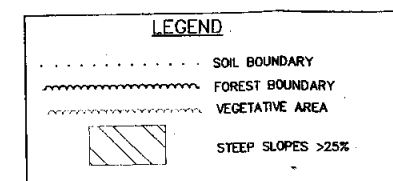
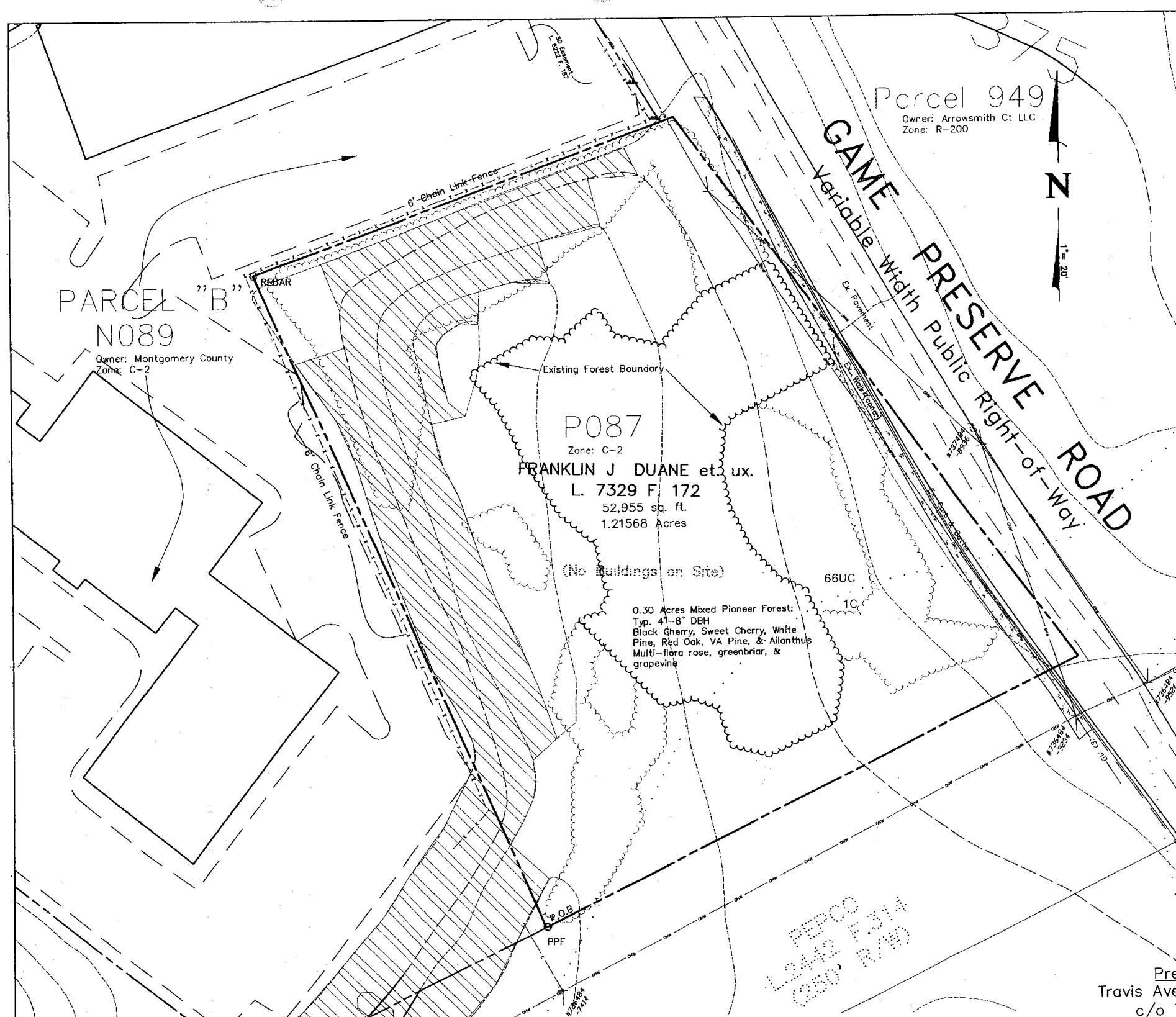
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90-81-6  
JOINT  
EXHIBIT  
8  
2-303(o)  
PENGAD-Bayonne, N. J.



**NATURAL RESOURCE INVENTORY/FOREST STAND DELINEATION NOTES**

1. TOTAL SITE AREA = 1.21 ACRES (52,724 S.F.) AND CONSISTS OF PARCEL 087, LIBER 7325, FOLIO 172. PROPERTY IS LOCATED ON OLD GAME PRESERVE ROAD, WEST OF TRAVIS LANE.
2. 5' CONTOUR TOPOGRAPHY FROM M-NCPPC 1"=200" SCALE SHEET 225NW11.
3. BOUNDARY INFORMATION FROM MACRIS, HENDRICKS AND GLASCOCK, P.A. SURVEY IN SPRING 2006.
4. SOILS ON-SITE ARE MAPPED AS GAILA SILT LOAM (MAPPING UNIT 1C) AND WHEATON-URBAN LAND COMPLEX (MAPPING UNIT 66UC) ACCORDING TO SHEET 13 OF THE SOIL SURVEY OF MONTGOMERY COUNTY ISSUED JULY 1995.
5. THE PROPERTY IS ZONED C2.
6. THE SITE DRAINS TO GREAT SEENCA CREEK. THIS PORTION OF THE GREAT SEENCA CREEK WATERSHED IS DESIGNATED AS CLASS 1-P WATERS BY THE STATE OF MARYLAND. THERE IS NO MNCPPC OR FEMA 100-YEAR FLOODPLAIN.
7. NO WETLANDS, STREAMS, SEEPS, OR SPRINGS EXIST ON SITE.
8. ALL UTILITIES (WATER, SEWER, STORM DRAIN, CULVERTS, ELECTRIC, PHONE) ARE SHOWN IN SURVEYED LOCATIONS.
9. THERE IS 0.30 ACRES OF FOREST ON SITE. THERE ARE NO SIGNIFICANT TREES ON SITE.
10. THE PROPERTY IS NOT LISTED AS A HISTORIC SITE BY M-NCPPC'S "LOCATIONAL ATLAS & INDEX OF HISTORIC SITES IN MONTGOMERY COUNTY MARYLAND". THE PROPERTY IS NOT LISTED AS A HISTORIC SITE NOR IS IT LOCATED WITHIN A HISTORIC DISTRICT ACCORDING TO M-NCPPC'S "PLACES FROM THE PAST: THE TRADITION OF GARDEZ BIEN IN MONTGOMERY COUNTY, MARYLAND, 2001". NO STRUCTURE OR EVIDENCE SUGGESTING HISTORICAL OR ARCHAEOLOGICAL SIGNIFICANCE WAS OBSERVED DURING SITE INVESTIGATION. THE PROPERTY IS NOT WITHIN THE HISTORIC DISTRICT OF THE CITY OF GAITHERSBURG.
11. TREES WITHIN 100 FEET OF THE LIMITS OF DISTURBANCE (LOD) SHALL BE FIELD LOCATED BY SURVEYORS AT THE TIME OF THE PRELIMINARY FOREST CONSERVATION PLAN (PFCD).
12. FIELDWORK FOR THIS INVENTORY WAS CONDUCTED ON 3/28/06.
13. NO RARE, THREATENED OR ENDANGERED SPECIES WERE OBSERVED ON-SITE.
14. THIS PLAN IS VALID AS LONG AS SITE COMPLIES WITH SECTION 22-7(d) (3) AND SECTION 24-173 OF GAITHERSBURG CITY CODE."

**SOIL KEY**

- 1C - Gaila silt loam, 8 to 15 percent slopes
- 66UC - Wheaton-Urban land complex, 8 to 15 percent slopes

Condition 1: Provide letter from Maryland Department of Natural Resources stating that No Rare, Threatened, or Endangered Species exist on site.

**NATURAL RESOURCE INVENTORY/FOREST STAND DELINEATION CERTIFICATION**

I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON IS CORRECT AND THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE REQUIREMENTS OF EXISTING STATE AND CITY FOREST CONSERVATION LEGISLATION.

19 JUNE 2006  
DATE

Lauren E. Wirth  
RECOGNIZED AS QUALIFIED PROFESSIONAL  
BY MD. DEPT. OF NATURAL RESOURCES

Prepared For:  
Travis Avenue Self Storage LLC  
c/o Trey Burke  
9001 Congressional Ct  
Potomac, MD 20854  
Phone: 301-299-8616  
Fax: 301-365-9154

TAX MAP FT123

WSSC 225NW11

**NATURAL RESOURCE INVENTORY/FOREST STAND DELINEATION P.87**

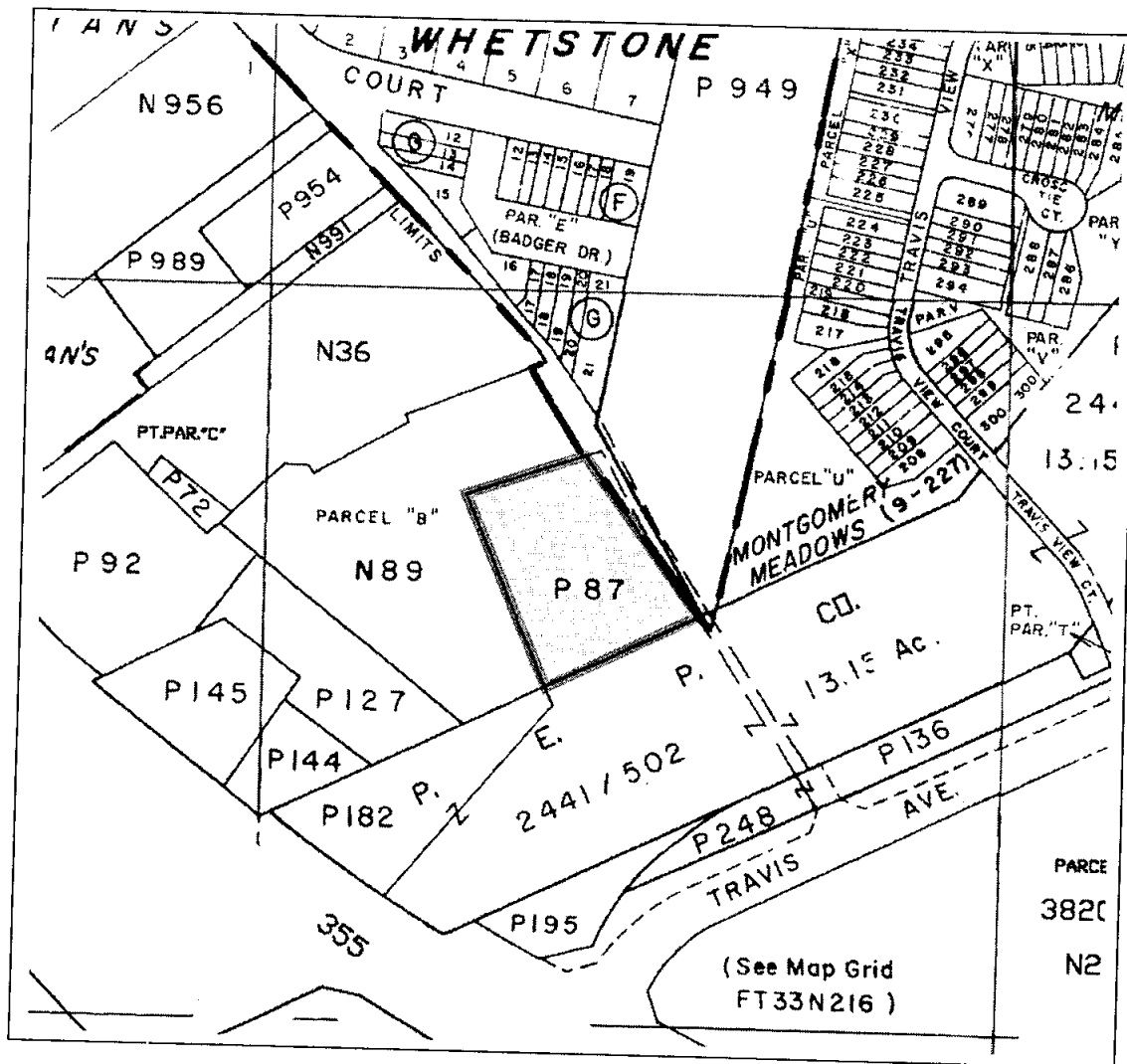
**TRAVIS AVENUE SELF STORAGE ZONE**

9TH ELECTION DISTRICT - CITY OF GAITHERSBURG - MARYLAND

 <b>MHG</b>	<b>Macris, Hendricks &amp; Glascock, P.A.</b> Engineers ■ Planners Landscape Architects ■ Surveyors  9220 Wightman Road, Suite 120 Montgomery Village, Maryland 20886-1275	Proj. Mgr. MDP	Designer FCJ
		Date 06-08-06	Scale 1"=20'
		Project No. 06.113	1 of 1

JOINT EXHIBIT 11  
Z-303(6) 9-18-06

56. Designate Tax Map FT 43 Parcel P87 as Open Space.



This parcel is located adjacent to the PEPCO right of way and Game Preserve Road. The property has poor visibility due to topography and access. This property has a number of mature trees and any development should strive to protect tree stands. Additionally, any development on this property would require improvements be made to Game Preserve Road, from this property to Travis Avenue, to improve access and safety. Because of the location and environmental concerns, the current commercial designation may not be feasible on this property. A designation of Open Space would preserve the property as a park, while an industrial designation may permit a use that does not require as much visibility and access as a typical commercial use.

**Land Use and Zoning Actions:**

**Option A**

- Adopt Open Space land use designation
- Recommend Zoning change from C-2 to R-A

**Option B**

- Adopt Industrial land use designation
- Recommend Zoning change from C-2 to I-3

[Click here for a plain text ADA compliant screen.](#)



Maryland Department of Assessments and Taxation  
MONTGOMERY COUNTY  
Real Property Data Search

[Go Back](#)  
[View Map](#)  
[New Search](#)  
[Ground Rent](#)

Account Identifier: District - 09 Account Number - 00775464

#### Owner Information

Owner Name: DUANE, FRANKLIN J & R S  
Mailing Address: 625 2ND ST S  
NAPLES FL 34102-8627  
Use: COMMERCIAL  
Principal Residence: NO  
Deed Reference: 1) / 7329/ 172  
2)

#### Location & Structure Information

Premises Address  
FREDERICK RD

Legal Description  
RES ON YOUNGER BROS  
& CHARLES & JOHN

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No: Plat Ref:
FT23		P087		201				3	
Special Tax Areas				Town Ad Valorem Tax Class	GAITHERSBURG 49				
Primary Structure Built 0000				Enclosed Area		Property Land Area 52,707.00 SF		County Use 910	
Stories		Basement		Type			Exterior		

#### Value Information

	Base Value	Value As Of	Phase-in Assessments	
		01/01/2006	As Of	As Of
			07/01/2005	07/01/2006
Land:	263,500	316,200		
Improvements:	0	0		
Total:	263,500	316,200	263,500	281,066
Preferential Land:	0	0	0	0

#### Transfer Information

Seller: Type: IMPROVED ARMS-LENGTH Date: 10/03/1986 Price: \$85,000  
Deed1: / 7329/ 172 Deed2:  
Seller: Date: Price:  
Type: Deed1: Deed2:  
Seller: Date: Price:  
Type: Deed1: Deed2:

#### Exemption Information

Partial Exempt Assessments	Class	07/01/2005	07/01/2006
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO  
Exempt Class:

Special Tax Recapture:

\* NONE \*



the time and place of the later hearing is announced at the advertised hearing.

(c) *Recommendation of planning commission.* The planning commission shall deliver to the city council as promptly as circumstances shall permit its recommendation with reference to each application to amend the text or the zoning map. In the event the planning commission shall fail to deliver such recommendation to the city council within thirty days following the hearing, the council may act upon such application without awaiting such recommendation.

(d) *Action of the council.* The council shall take action on the application within ninety days after the hearing. If the council shall fail to do so, the application shall be deemed to have been denied.

(e) *Notice to applicant and planning commission of action of council.* Notice of action taken by the council on any amendment to this chapter or to the zoning map shall, within seven (7) days thereof, be transmitted to the applicant and to the planning commission by the city manager.

(f) *Fees.* Each application to amend the zoning map shall be accompanied by a fee in accordance with a schedule of fees established by the council by resolution.

(Ord. No. O-2-65, art. 4; Ord. No. O-13-78; Ord. No. O-16-82)

#### **Sec. 24-198. Optional method of application for local map amendments.**

(a) In addition to the other requirements contained in this article and notwithstanding subsection (c) of section 24-196 of this Code, an applicant for a local map amendment to any zoning district except the R-A Zone and the MXD Zone may select an optional method for such application by so indicating on the appropriate application form and submitting a schematic development plan as part of the rezoning application. The schematic development plan shall be for the purpose of limiting a development standard or standards to less than the maximum permitted in the requested zone and/or limiting the land use of the applicant's subject property to one or more of the permitted uses in the zone. Approval by the council shall not be for a manner of development or use other than that for which has been applied. A schematic development plan consisting of a drawing of appropriate scale submitted for the purpose of limiting a development standard or standards and/or land use shall include upon such plan, as a minimum, the following as applicable to the property:

- (1) The use or uses of all buildings and structures.
- (2) The location, height and approximate dimensions of all buildings and structures.
- (3) The location of points of access to the site.
- (4) The location of parking areas.
- (5) Existing topography, including:
  - a. Contour intervals of not more than five (5) feet;
  - b. An approved forest stand delineation and forest conservation plan, as defined in Chapter 22 and required by section 22-7 of this Code;
  - c. One hundred-year floodplains;
  - d. Other natural features, such as rock outcroppings and scenic views; and
  - e. Utility easements, if any.

(b) All applications filed under the optional method of application for local map amendment shall also include a proposed covenant, suitable for filing in the land records of the county, which shall indicate in specific language that the property which is the subject of the application is restricted in its use and/or development standards to the schematic development



any accompanying or qualifying text material submitted with such plan, as such plan may be approved or modified by the planning commission at the time of final site plan review. The covenant to be filed in the land records shall also indicate that such restrictions shall be in effect until such time as the property may be rezoned, at which time such restrictions shall be removed.

Upon approval of such application, the covenant shall be immediately recorded and certification thereof shall be submitted to the planning commission at the time of submission for final site plan review.

(c) The schematic development plan may be amended:

- (1) At any time before review and recommendation by the planning commission;
- (2) At any time after planning commission review and prior to council action by resubmission to the planning commission for further review and recommendation;
- (3) Subsequent to council action to approve as follows:

a. *Change in use involved.* By either the filing of a new application or resubmission to the planning commission for further evaluation, public hearing and recommendation to the council. The council shall approve or disapprove the recommendation of the planning commission, without the necessity of a public hearing, no later than forty-five (45) days after receipt of the commission's recommendation or may, on its own motion, extend such time limit.

b. *No change in use involved.* By submission to the planning commission for evaluation and approval in accordance with Article V of this chapter.

c. *Changes other than to use.* By either the filing of a new application or resubmission to the planning commission for further evaluation, public hearing and recommendation to the council when the change is to proposed new development or modification to existing development which:

- (i) Increases the height of building or signage by ten (10) feet or more, or
- (ii) Materially changes the orientation or siting of buildings, parking accessory uses, or
- (iii) Increases nonresidential building floor area by more than ten (10) percent or five thousand (5,000) square feet whichever is greater, or
- (iv) Increases by more than ten (10) percent or five (5) units the number of residential dwelling units whichever is greater, or
- (v) Removes more than five (5) percent of area designated for conservation or other environmental preservation purposes.

The council shall hold only a courtesy review of the application, presented by the city planning staff, prior to action by the planning commission. The council shall either:

- (1) Find that the application has a minor effect and thereby direct the planning commission to make a final decision on the amendment in accordance with the procedure set forth above in subsection 24-198(3)b.; or
- (2) Direct that the amendment be referred to the planning commission for further evaluation, public hearing and recommendation. The council shall thereafter approve or disapprove the recommendation of the planning commission without the necessity of public hearing, no later than forty-five (45) days after receipt of the commission's recommendation or

may on its own motion, extend such time limit.

(d) The final site plan as required by Article V of this chapter must be in conformance with the schematic development plan as approved by the council, with the exception of amendments or modifications not involving a change in use requested pursuant to subsection (c)(3) of this section.

(Ord. No. O-31-80; Ord. No. O-7-82; Ord. No. O-22-84, 11-19-84; Ord. No. O-19-90, 9-17-90; Ord. No. O-15-91, 7-1-91; Ord. No. O-23-92, 12-7-92; Ord. No. O-5-01, 3-19-01)

### **Sec. 24-199. Appeals.**

Any person or persons aggrieved by any zoning action of the city council shall have the right of appeal, exercisable within thirty (30) days from the date of the decision or action, to the Circuit Court for Montgomery County, Maryland, and thereafter to the appellate courts of the state, in accordance with the Maryland Rules of Procedure governing administrative appeals. The filing of any appeal shall not stay the zoning action of the city council pending final resolution of the appeal.

(Ord. No. O-21-93, 12-20-93; Ord. No. O-13-05, 12-19-05)

### **Sec. 24-200. Deferrals of pending map amendment, text amendment, schematic development plan, sketch plan and concept plan applications.**

The processing, public hearing or decision of any pending local map amendment, text amendment, schematic development plan, sketch plan, or concept plan for the CD Zone application, or amendments to any of the previous described plans may, after recommendations are received from the Department of Planning and Code Administration, be postponed or deferred by resolution approved by the city council when, in the discretion of the city council, the pendency of any master plan amendment, transportation plan amendment, zoning and planning study, or capital improvement program or project or amendment thereto may substantially affect applications under consideration, and promote orderly zoning and planning within the city, as well as the efficient and economical processing of such applications. A pending local map amendment, text amendment, schematic development plan, sketch plan or concept plan application may be deferred until the earlier of either:

(a) The final disposition by the city council of the pending master plan amendment, transportation plan amendment, zoning and planning study, or capital improvements program or project or amendment thereto; or

(b) In the discretion of the city council, the elimination of any conflicts between the pending local map amendment, text amendment, schematic development plan, sketch plan or CD Zone concept plan application or amendments thereto and the pending master plan amendment, transportation plan amendment, zoning and planning study, or capital improvements program or project; or

(c) Twelve (12) months from the effective date of the resolution postponing or deferring the application.

The terms "pendency" or "pending" shall, for the purposes of this section, mean:

(i) *Master plan and transportation plan amendments* --From and after public release of a staff draft of the amendment until final action thereon by the city council.

(ii) *Zoning and planning study* --From and after direction of the city council or the city planning commission to city staff to undertake such study until such time as the study is completed and released by city staff to the requesting agency and said agency has concluded its review, including further instructions to staff, if any.



## DIVISION 17. E-1 ZONE, URBAN EMPLOYMENT

### Sec. 24-151. Permitted uses.

The following uses are permitted in the E-1 Zone:

- (1) Office buildings for general office purposes.
- (2) Public buildings, churches and similar uses.
- (3) Libraries and similar institutions of noncommercial nature.
- (4) Research, experimental and testing laboratories.
- (5) Manufacture, compounding, processing, assembly and retail sales of articles using prepared materials which are entirely stored within a structure.
- (6) Wholesale businesses, warehouses and similar nonprocessing storage and distribution uses, except bulk storage of chemicals, petroleum products and other inflammable, explosive or noxious materials.
- (7) Farms and other uses associated with agricultural activities.
- (8) Retail sales and consumer service establishments, incidental to and located within an office structure, limited to restaurants, drugstores, newsstands, barbershops, valet shops, specialty shops and delicatessens, banks and financial institutions.
- (9) Off-street parking.
- (10) Restaurants (Class C).
- (11) Recreational or educational buildings or uses.
- (12) Satellite television antennas and towers, poles, antennas or other structures intended for use in connection with transmission or receipt of radio or television signals, or both, subject to the provisions of section 24-167A of this Code.
- (13) Catering establishments, offering catering services primarily on the premises, and retail sales and consumer services establishments incidental to and located within the same structure, limited to florists, photographers, and formal wear clothing sales and rentals.
- (14) Child or elderly day care facilities accommodating not more than eight (8) individuals.
- (15) Child or elderly day care facilities accommodating more than eight (8) individuals subject to restrictions on such use contained in section 24-25(4) and the following requirements:
  - a. Such use within a building or structure shall be constructed and maintained with noise attenuation materials so as not to emit noises in excess of a sixty-five (65) dba level into adjoining uses, common areas or public ways;
  - b. Outdoor play areas and playgrounds abutting improved residential property shall only be used between the hours of 8:00 a.m. and 6:00 p.m.;
  - c. Facilities accommodating more than eight (8) children but not more than twenty (20) children at any one time shall provide at least three hundred (300) square feet of gross lot or parcel area per child, and facilities accommodating



more than twenty (20) children at any one time shall provide at least five hundred (500) square feet of gross lot or parcel area per child;

d. The use shall be located and operated so that traffic will not constitute a nuisance to single-family residential areas; and

e. That the design of the facilities will be compatible and in character with surrounding, existing and proposed residential uses.

(16) Bed and breakfast subject to the requirements contained in section 24-167B.

(17) Telecommunications facilities and monopoles located entirely within an existing structure or located on the rooftop of an existing structure other than a single-family dwelling unit, subject to the requirements of section 24-167A(C)(1).

(18) Accessory uses on the same lot or parcel as the primary use which is customarily incidental and subordinate to the principal or primary use.

(19) Accessory structures must conform to requirements of section 24-163 of this Code.

(Res. No. R-9-67; Ord. No. O-7-73, § 10; Ord. No. O-4-74; Ord. No. O-5-74, § 1; Ord. No. O-2-76, § 1; Ord. No. O-10-77; Ord. No. O-10-81, § 8; Ord. No. O-14-83, § 1, 7-18-83; Ord. No. O-20-87, 9-8-87; Ord. No. O-3-88, 3-24-88; Ord. No. O-2-90, 3-5-90; Ord. No. O-5-93, 4-12-93; Ord. No. O-17-93, 11-15-93; Ord. No. O-21-97, 11-17-97; Ord. No. O-5-04, 1-20-04)

#### **Sec. 24-151A. Uses permitted by special exception.**

Amusement center as part of, and clearly accessory to, a separate primary recreational building and/or use. This use shall be subject to the standards and requirements contained in section 24-118(7) of the City Code.

(Ord. No. O-8-95, 6-5-95)

#### **Sec. 24-152. Performance standards.**

All uses in the E-1 Zone shall comply with the performance standards in section 24-150.

(Res. No. R-9-67)

#### **Sec. 24-153. Outdoor storage.**

All permitted uses and accessory activities in the E-1 Zone shall be confined within completely enclosed buildings with the exception of off-street parking and loading or unloading area. No outdoor storage of materials or equipment shall be permitted; provided however that, except where land abuts residentially zoned or developed property not separated by publicly owned property or a public right-of-way eighty (80) feet in width or greater, outdoor storage or parking of trucks, defined as the tractor, trailer or trailers and any dolly connected thereto with a length greater than thirty-two (32) feet, shall be permitted when specifically approved by the planning commission during site plan review subject to the following criteria:

(a) The storage or parking of trucks, either as units or as individual components thereof (tractor, trailer, dolly), shall be in neat configurations within areas of the site specifically designated for such units or components.

(b) Areas designated for truck storage are subject to the yard requirements applicable to buildings and structures per section 24-157.

- (c) Truck storage areas shall be screened by landscaping, fencing, walls or a suitable combination thereof.
- (d) All trucks shall be in operable condition and shall have a valid registration displayed thereon.
- (e) On-site and off-site circulation shall be established so as to provide for safe, efficient and free-flowing access for all vehicles and pedestrians.
- (f) Lighting of off-street parking lots, areas and facilities shall be installed and maintained so as not to cause any glare, reflection or any other material impact to abutting properties or public rights-of-way.
- (g) Use of outdoor storage areas shall not cause or create noise or air quality levels to be in violation of existing local laws or regulations.
- (h) Any development requiring approval by the planning commission for uses developed under section 24-153 shall not be subject to the height limitations stipulated in section 9-3 of the City Code.
- (i) If, in conjunction with and clearly subordinate to any truck storage area, there is to be a fuel dispensing area, such area shall comply with standards as stipulated in section 24-150B(2)(e), (f) and (g) and shall be exclusively used by the property owner.

(Res. No. R-9-67; Ord. No. O-14-86, 11-17-86)

#### **Sec. 24-154. Landscaping.**

The following landscaping requirements shall apply in the E-1 Zone:

- (a) All areas not used for building or off-street parking or loading shall be landscaped and screened in accordance with a plan approved by the planning commission, and maintained in good condition at all times.
- (b) Not less than thirty (30) percent of the net lot area shall be landscaped.

(Res. No. R-9-67)

#### **Sec. 24-155. Minimum lot area.**

The minimum lot area in the E-1 Zone shall be one acre.

(Res. No. R-9-67)

#### **Sec. 24-156. Minimum lot width.**

The minimum lot width in the E-1 Zone shall be one hundred (100) feet.

(Res. No. R-9-67)

#### **Sec. 24-157. Yard requirements.**

The following yard requirements shall apply in the E-1 Zone:

- (a) *Front yard.* Thirty (30) feet.

(b) *Rear and side yards.* Twenty (20) feet; provided, that one foot shall be added for each foot of building height over thirty (30) feet.

(Res. No. R-9-67)

**Sec. 24-158. Height restrictions.**

The maximum building height in the E-1 Zone shall be forty-five (45) feet.

(Res. No. R-9-67)

**Sec. 24-159. Maximum lot coverage.**

The maximum lot coverage in the E-1 Zone shall be fifty (50) percent.

(Res. No. R-9-67)

**Sec. 24-160. Minimum green space.**

In the E-1 Zone, at least thirty (30) percent of the site shall be used as green space.

(Res. No. R-9-67)

**Sec. 24-160.1. Traditional Neighborhood Design (TND) option.**

The Traditional Neighborhood Design (TND) option may be used as an alternate method of development, subject to compliance with the standards set forth in section 24-22.3 of Chapter 24 of this Code.

(Ord. No. O-3-99, 1-19-99)

**From:** "Leck, Gregory" <Greg.Leck@montgomerycountymd.gov>  
**To:** "Myriam Gonzalez" <MGonzalez@gaithersburgmd.gov>  
**Date:** 07/26/2006 8:53:14 AM  
**Subject:** RE: Z-303(o) Duane Prop/Self Storage Old Game Preserve

Hello Myriam,

Thank you for advising us of this review meeting. We will try to have a representative at the meeting.

In order for us to be prepared for that meeting, please send us the plans and supporting documents (analyses of the capacity of the downstream public storm drain system & post-development impact, sight distances evaluation certification form, proposed improvements to Game Preserve Rd, etc) ASAP for our review and comment. This information should be addressed to Mr. Sam Farhadi, Senior Planning Specialist, at the address listed below.

Thank you for your cooperation and assistance.

Sincerely,

Greg Leck, Manager  
Development Review Group  
Traffic Engineering and Operations Section  
DPWT Division of Operations

101 Orchard Ridge Drive, 2nd floor  
Gaithersburg, Maryland 20878

greg.leck@montgomerycountymd.gov  
office: 240-777-2197  
fax: 240-777-2080

-----Original Message-----

From: Myriam Gonzalez [mailto:MGonzalez@gaithersburgmd.gov]  
Sent: Tuesday, July 25, 2006 2:13 PM  
To: Matthew Hopkins; Barb Bohnenblust; Cindy Hines; Cliff Lee; Caroline Seiden; Don Boswell; DeeDee Lofgren; Eli Golfer; Erica Shingara; Greg Dennison; Greg Ossont; Greg Ryberg; Ivan Humberson; Jim Arnoult; Jacqueline Marsh; LL.Conference.Room@gaithersburgmd.gov; Maria Fullerton; Ollie Mumpower; Patricia Patula; Rob Robinson; Scott Scarff; Trudy Schwarz; Tim Smith; Tony Tomasello; Wes Burnette; John Bauer; Adams, David; Leck, Gregory; Donahue, Michael; Farhadi, Sam; Ken Farrell; Roberta Dickey; Steven Baxter; John Borkowski; Raymond Burns; Robert Thompson; Andy Hickey; Norma Thacker  
Subject: Z-303(o) Duane Prop/Self Storage Old Game Preserve

Item Type: Appointment  
Start Date: Thursday, 10 Aug 2006, 09:00:00am (Eastern Daylight Time)  
Duration: 1 Hour  
Place: LL Conference Room

Review of SDP for rezoning



**From:** Rob Robinson  
**To:** Kline, Jody  
**Date:** 07/28/2006 12:05:48 PM  
**Subject:** Fwd: RE: Z-303(o) Duane Prop/Self Storage Old Game Preserve

Jody,

I wanted to forward you this e-mail received from Mo. Co. DPWT as to what things (plans) they are requesting. We will be having a DRT review of the SDP the 10th. I would like to set up a meeting with your group the following week to discuss the comments received during DRT. Have a good weekend,  
Rob

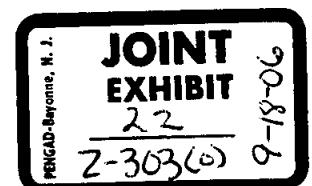
Rob Robinson  
Planner  
City of Gaithersburg

301-258-6330 x 2122  
301-258-6336 (fax)

31 S. Summit Ave.  
Gaithersburg MD. 20877

RRobinson@Gaithersburgmd.gov

**CC:** Schwarz, Trudy





March 31, 2006

City Of Gaithersburg  
31 South Summit Avenue  
Gaithersburg, MD 20877

Re: Travis Ave Self Storage Zone  
Z-303

Dear Mr. Robinson:

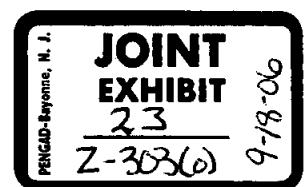
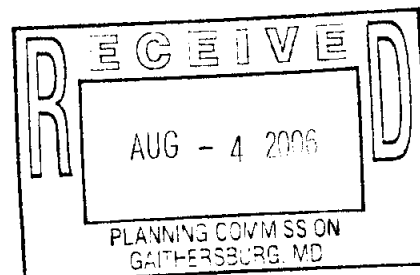
Please find attached the supporting information that you had request of Mr. Jody Kline in your email dated July 28, 2006. In the process of certifying the sight distance for the two proposed entrances it became apparent that the northern most entrance did not have adequate sight distance. We have modified our plans to provide for a right in only entrance in this location. Because of this we had to revise the parking to a two way single loaded layout. I have attached 10 copies of the revised plans for your review and dissemination. I will be sending Mr. Farhadi a copy of everything I have included in this package. Please let me know if there is anything else you need.

Regards,



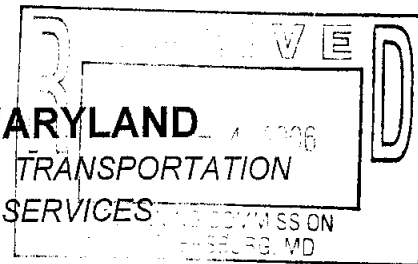
Ms. Vic Bryant, RLA, ASLA

cc: Trey Burke





**MONTGOMERY COUNTY, MARYLAND**  
DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION  
DEPARTMENT OF PERMITTING SERVICES



**SIGHT DISTANCE EVALUATION**

Facility/Subdivision Name: TRAVIS AVE. - SELF STORAGE Preliminary Plan Number: 1-

Street Name: OLD GAME PRESERVE RD. Master Plan Road Classification: TERTIARY-50' R/W

Posted Speed Limit: N/A mph

Street/Driveway #1 (SOUTH DRIVE) Street/Driveway #2 (NORTH DRIVE)

Sight Distance (feet)	OK?	Sight Distance (feet)	OK?
Right <u>250' +</u>	<u>✓</u>	Right <u>250' +</u>	<u>✓</u>
Left <u>250' +</u>	<u>✓</u>	Left <u>100'</u>	<u>X</u>

Comments: \_\_\_\_\_

Comments: The only sight window within the property limits is from the south prop. line, north approx. 170'.

**GUIDELINES**

Classification or Posted Speed (use higher value)	Required Sight Distance in Each Direction*	Sight distance is measured from an eye height of 3.5' at a point on the centerline of the driveway (or side street) 6' back from the face of curb or edge of traveled way of the intersecting roadway where a point 2.75' above the road surface is visible. (See attached drawing)
Tertiary - 25 mph	150'	
Secondary - 30	200'	
Business - 30	200'	
Primary - 35	250'	
Arterial - 40	325'	
(45)	400'	
Major - 50	475'	
(55)	550'	

\*Source: AASHTO

**ENGINEER/ SURVEYOR CERTIFICATE**

I hereby certify that this information is accurate and was collected in accordance with these guidelines.

Signature

PLS/P.E. MD. Reg. No. 24774

Date

8/4/06

Note: North driveway fails min dist of 150'.

**Montgomery County Review:**

☐ Approved

☐ Disapproved:

By: \_\_\_\_\_

Date: \_\_\_\_\_

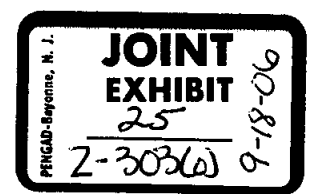




### Proposed Improvements to Old Game Preserve Road

Per Schematic Development Plan for Travis Avenue Self Storage Zone dated July 2006

- Dedication of 0.06 acres to obtain the full 50' row
- Add two entrances with curb and gutter from proposed site on to Old Game Preserve Road. The southern entrance is full movement, and the northern entrance is right in only.
- Provide a 4' concrete sidewalk offset from the pavement edge of Old Game Preserve Road by approximately 6'.
- Mill and overlay utility connections only and then where curb cuts are made.
- Improvements do not extend beyond property's immediate frontage.



**STORM DRAINAGE  
STUDY**

**OLD GAME PRESERVE STORAGE  
(OLD GAME PRESERVE ROAD)**

**MHG PROJECT No. 2006.113.11**

**April , 2006**

**PREPARED FOR:**

**SJM Partners, Inc.  
9001 Congressional Court  
Potomac, MD 20854**

**John I. Wysong**  
Project Designer  
Macris, Hendricks & Glascock, P.A.  
*Engineers, Planners, Landscape Architects & Surveyors*  
9220 Wightman Road, Suite 120  
Montgomery Village, MD 20886-1279  
Email: [jwysong@mhgpa.com](mailto:jwysong@mhgpa.com)  
Phone: 301.670.0840 x1018  
Fax: 301.948.0693  
Web: [www.mhgpa.com](http://www.mhgpa.com)

**Macris, Hendricks & Glascock, P.A.**  
Engineers • Planners • Surveyors • Landscape Architects

9220 Wightman Road, Suite 120  
Montgomery Village, Maryland  
20886-1279



Pho  
Fax



## Drainage Area Study

This study was prepared with the purpose of investigating the existing and proposed storm drainage for the possible development of Parcel 87, located along Old Game Preserve Road. In preparation for this study, MHG made use of M-NCPPC topography and field observations. In order for the reader to understand the narrative below, refer to the Drainage Area Study Maps for both Existing Conditions and Proposed Conditions, and the attached rational formula storm drain pipe and inlet computations. Note that all computations refer to the 10 year storm event.

The proposed Storm Drainage for the site has been preliminarily designed to tie into the existing storm drainage system located to the west of the site. This existing system is unusual in that it ends at an upstream location on Old Game Preserve Road (see Ex. 150) and proceeds to overflow from that point, approximately 665 feet down the flowline gutter of the existing curb line all the way to Ex. Str. 123, which is located on Arrowsmith Court.

This pipe system outfalls from a 24" CMP pipe end (See Ex. 120) into the upstream end of a small stream, that flows directly into Whetstone Run (the Tributary that flows below the outfall for Lake Whetstone into Great Seneca Creek).

If the Site were developed as proposed, the total overland flow reaching the inlet Ex.123 would increase from 22.9cfs to 26.1cfs. The inlet spread would increase from 14.1 feet to 14.8 feet (road crown is at 13'). The Intercepted flow would increase from 10.5cfs to 11.1cfs, and the flow bypass would increase from 12.4cfs to 15.0cfs.

Assuming all of the flows entered this inlet, the pipe flow from Ex. 123 to Ex. 122 would increase from 22.9cfs to 26.1cfs, and the Smin for the Ex. 24" RCP would increase from 1.02% to 1.33%.

MACRIS, HENDRICKS, AND GLASCOCK P.A.  
 9220 WIGHTMAN ROAD SUITE 120  
 MONTGOMERY VILLAGE, MARYLAND 20886-1279  
 (301) 670-0840

STORM DRAIN COMPUTATIONS  
 10.00 YEAR RETURN PERIOD  
 OLD GAME PRESERVE STORAGE  
BEFORE DEVELOPMENT OF PROJECT SITE

USER: JIW  
 DATE: Apr-06  
 CHECKED BY:  
 JOB # : 2006.113.11  
 FILE: PIPELJIW

FROM NO.	TO NO.	AREA AC.	AREA SUM AC.	R	AR	AR SUM	TIME MIN.	I IN/HR	Q CFS	SLOPE %	DIA. IN.	VEL FPS	L FT.	TIP MIN	N VALUE	Hf FT.
ex161	ex160	0.94	0.94	0.85	0.80	0.80	5.00	7.07	5.6	1.63	15	4.6	165.0	0.60	0.019	2.69
ex160	ex159	0.06	1.00	0.85	0.05	0.85	5.60	6.89	5.9	0.66	18	3.3	181.0	0.91	0.019	1.20
ex159	ex158	0.39	1.39	0.85	0.33	1.18	6.51	6.65	7.9	0.26	24	2.5	8.0	0.05	0.019	0.02
ex158	ex157		1.39		0.00	1.18	6.56	6.64	7.9	0.26	24	2.5	44.0	0.29	0.019	0.11
ex157	ex156		1.39		0.00	1.18	6.85	6.56	7.9	0.12	24	2.5	10.0	0.07	0.013	0.01
ex156	ex155		1.39		0.00	1.18	6.92	6.54	7.9	0.12	24	2.5	15.0	0.10	0.013	0.02
ex155	ex152		1.39		0.00	1.18	7.02	6.52	7.9	0.26	24	2.5	177.0	1.18	0.019	0.46
ex154	ex153	0.72	0.72	0.48	0.35	0.35	10.00	5.85	2.0	0.10	15	1.6	108.0	1.09	0.013	0.11
ex153	ex152	0.27	0.99	0.58	0.16	0.50	11.09	5.64	2.8	0.19	15	2.3	30.0	0.22	0.013	0.06
ex152	ex151		2.38		0.00	1.68	11.31	5.60	9.4	0.11	30	1.9	66.0	0.57	0.019	0.07
ex151	ex150		2.38		0.00	1.68	11.88	5.50	9.4	0.11	30	1.9	85.0	0.74	0.019	0.10
ex150	ex123		2.38		0.00	1.68	12.62	5.37	9.4	5.61	13	9.9	665.0	1.12	0.015	37.32
ex144	ex143	0.27	0.27	0.85	0.23	0.23	5.00	7.07	1.6	0.06	15	1.3	35.0	0.44	0.013	0.02
ex143	ex141	0.74	1.01	0.85	0.63	0.86	5.44	6.94	6.0	0.85	15	4.9	185.0	0.64	0.013	1.57
ex142	ex141	0.92	0.92	0.85	0.78	0.78	5.00	7.07	5.5	0.73	15	4.5	65.0	0.24	0.013	0.48
ex141	ex140		1.93		0.00	1.64	6.08	6.76	11.1	2.95	15	9.0	35.0	0.06	0.013	1.03
ex140	ex123		1.93		0.00	1.64	6.14	6.75	11.1	2.95	15	9.0	0.0	0.00	0.013	0.00
ex130	ex129	0.42	0.42	0.58	0.24	0.24	10.00	5.85	1.4	0.05	15	1.2	25.0	0.36	0.013	0.01
ex129	ex128	0.64	1.06	0.58	0.37	0.61	10.36	5.78	3.6	0.30	15	2.9	30.0	0.17	0.013	0.09
ex128	ex127		1.06		0.00	0.61	10.53	5.75	3.6	0.30	15	2.9	85.0	0.49	0.013	0.26
ex127	ex126	0.50	1.56	0.58	0.29	0.90	11.02	5.65	5.1	0.63	15	4.2	35.0	0.14	0.013	0.22
ex126	ex125		1.56		0.00	0.90	11.16	5.63	5.1	0.05	24	1.6	25.0	0.26	0.013	0.01
ex125	ex124	1.61	3.17	0.48	0.77	1.68	11.42	5.58	9.4	0.17	24	3.0	110.0	0.62	0.013	0.19
ex124	ex122		3.17		0.00	1.68	12.03	5.47	9.4	0.17	24	3.0	160.0	0.89	0.013	0.27
ex123	ex122	2.65	6.96	0.41	1.09	4.41	13.74	5.19	22.9	1.02	24	7.3	25.0	0.06	0.013	0.26
ex122	ex121	0.42	10.55	0.48	0.20	6.29	13.80	5.18	32.6	2.07	24	10.4	40.0	0.06	0.013	0.83
ex121	ex120		10.55		0.00	6.29	13.86	5.17	32.6	4.43	24	10.4	75.0	0.12	0.019	3.32

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(301) 670-0840

CURB OPENING INLET COMPUTATIONS  
10.00 YEAR RETURN PERIOD  
0.015 GUTTER "N" VALUE  
OLD GAME PRESERVE STORAGE: BEFORE DEVELOPMENT

USER: JIW  
DATE: Apr-06  
CHECKED BY:  
JOB #: 2006.113.11  
FILE: INLET1JIW

		AREA							BASE	OVER	TOTAL	INTER	FLOW		INLET	LENGTH	STREET	CROSS	CURB	INLET	GUTTER	FLOW	GUTTER
INLET	AREA	SUM	R	AR	AR	TIME	I	FLOW	FLOW	FLOW	FLOW	FLOW	BYPASS		COMP.	ACT.	SLOPE	SLOPE	HT.	DEP.	DEPTH	SPREAD	WIDTH
NO.	TYPE	AC.	AC.		SUM	MIN.	IN/HR	CFS	CFS	CFS	CFS	CFS	CFS	TO	FT.	FT.	%	FT/FT	FT.	IN.	FT.	FT.	IN.
EX123	A10	6.96	6.96	0.63	4.41	4.41	13.7	5.19	22.9	0.0	22.9	10.5	12.4	EX102	34.6	10.0	3.33	0.03	0.50	4.0	0.42	14.1	16.00

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STORM DRAIN COMPUTATIONS  
 10.00 YEAR RETURN PERIOD  
 SHEET 1 OF 2  
 OLD GAME PRESERVE STORAGE  
 AFTER DEVELOPMENT OF PROJECT SITE

USER: JIW  
 DATE: Apr-06  
 CHECKED BY:  
 JOB # : 2006.113.11  
 FILE: PIPE2JIW

FROM NO.	TO NO.	AREA AC.	AREA SUM AC.	R	AR	AR SUM	TIME MIN.	I IN/HR	Q CFS	SLOPE %	DIA. IN.	VEL FPS	L FT.	TIP MIN	N VALUE	Hf FT.
174RD	174.0	0.23	0.23	0.90	0.21	0.21	5.00	7.07	1.5	0.45	10	2.7	30.0	0.19	0.013	0.13
174.0	173.0		0.23		0.00	0.21	5.19	7.01	1.5	0.45	10	2.7	55.0	0.34	0.013	0.25
173.0	172.0	0.27	0.50	0.85	0.23	0.44	5.53	6.91	3.0	0.22	15	2.5	35.0	0.24	0.013	0.08
172.0	170.0		0.50		0.00	0.44	5.77	6.85	3.0	0.22	15	2.5	90.0	0.61	0.013	0.20
171RD	171.0	0.23	0.23	0.90	0.21	0.21	5.00	7.07	1.5	0.45	10	2.7	5.0	0.03	0.013	0.02
171.0	170.0		0.23		0.00	0.21	5.03	7.06	1.5	0.45	10	2.7	20.0	0.12	0.013	0.09
170.0	ex152		0.73		0.00	0.64	6.38	6.68	4.3	0.44	15	3.5	75.0	0.36	0.013	0.33
ex161	ex160	0.94	0.94	0.85	0.80	0.80	5.00	7.07	5.6	1.63	15	4.6	165.0	0.60	0.019	2.69
ex160	ex159	0.06	1.00	0.85	0.05	0.85	5.60	6.89	5.9	0.66	18	3.3	181.0	0.91	0.019	1.20
ex159	ex158	0.39	1.39	0.85	0.33	1.18	6.51	6.65	7.9	0.26	24	2.5	8.0	0.05	0.019	0.02
ex158	ex157		1.39		0.00	1.18	6.56	6.64	7.9	0.26	24	2.5	44.0	0.29	0.019	0.11
ex157	ex156		1.39		0.00	1.18	6.85	6.56	7.9	0.12	24	2.5	10.0	0.07	0.013	0.01
ex156	ex155		1.39		0.00	1.18	6.92	6.54	7.9	0.12	24	2.5	15.0	0.10	0.013	0.02
ex155	ex152		1.39		0.00	1.18	7.02	6.52	7.9	0.26	24	2.5	177.0	1.18	0.019	0.46
ex154	ex153	0.43	0.43	0.58	0.25	0.25	10.00	5.85	1.5	0.05	15	1.2	108.0	1.51	0.013	0.06
ex153	ex152	0.24	0.67	0.60	0.14	0.39	11.51	5.56	2.2	0.11	15	1.8	30.0	0.28	0.013	0.03
ex152	ex151		2.79		0.00	2.22	11.79	5.51	12.2	0.19	30	2.5	66.0	0.44	0.019	0.13
ex151	ex150		2.79		0.00	2.22	12.24	5.44	12.2	0.19	30	2.5	85.0	0.57	0.019	0.16
ex150	ex123		2.79		0.00	2.22	12.80	5.34	12.2	9.44	13	12.9	665.0	0.86	0.015	62.78
ex144	ex143	0.27	0.27	0.85	0.23	0.23	5.00	7.07	1.6	0.06	15	1.3	35.0	0.44	0.013	0.02
ex143	ex141	0.74	1.01	0.85	0.63	0.86	5.44	6.94	6.0	0.85	15	4.9	185.0	0.64	0.013	1.57
ex142	ex141	0.92	0.92	0.85	0.78	0.78	5.00	7.07	5.5	0.73	15	4.5	65.0	0.24	0.013	0.48
ex141	ex140		1.93		0.00	1.64	6.08	6.76	11.1	2.95	15	9.0	35.0	0.06	0.013	1.03
ex140	ex123		1.93		0.00	1.64	6.14	6.75	11.1	2.95	15	9.0	0.0	0.00	0.013	0.00

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STORM DRAIN COMPUTATIONS  
 10.00 YEAR RETURN PERIOD  
 SHEET 2 OF 2  
 OLD GAME PRESERVE STORAGE  
AFTER DEVELOPMENT OF PROJECT SITE

USER: JIW  
 DATE: Apr-06  
 CHECKED BY:  
 JOB # : 2006.113.11  
 FILE: PIPE2JIW

FROM NO.	TO NO.	AREA AC.	AREA SUM AC.	R	AR	AR SUM	TIME MIN.	I IN/HR	Q CFS	SLOPE %	DIA. IN.	VEL FPS	L FT.	TIP MIN	N VALUE	HE FT.
ex150	ex123	2.79	2.79	0.82	2.29	2.29	12.80	5.34	12.2	9.44	13	12.9	665.0	0.86	0.015	62.80
ex140	ex123	1.93	1.93	0.85	1.64	1.64	6.14	6.75	11.1	2.94	15	9.0	0.0	0.00	0.013	0.00
ex130	ex129	0.42	0.42	0.58	0.24	0.24	10.00	5.85	1.4	0.05	15	1.2	35.0	0.50	0.013	0.02
ex129	ex128	0.64	1.06	0.58	0.37	0.61	10.50	5.75	3.5	0.30	15	2.9	90.0	0.52	0.013	0.27
ex128	ex127		1.06		0.00	0.61	11.02	5.65	3.5	2.61	10	6.5	5.0	0.01	0.013	0.13
ex127	ex126	0.50	1.56	0.58	0.29	0.90	11.04	5.65	5.1	5.45	10	9.4	20.0	0.04	0.013	1.09
ex126	ex125		1.56		0.00	0.90	11.07	5.65	5.1	0.63	15	4.2	75.0	0.30	0.013	0.47
ex125	ex124	1.61	3.17	0.48	0.77	1.68	11.37	5.59	9.4	2.11	15	7.6	165.0	0.36	0.013	3.48
ex124	ex122		3.17		0.00	1.68	11.73	5.53	9.4	0.80	18	5.3	181.0	0.57	0.013	1.44
ex123	ex122	2.65	7.37	0.41	1.09	5.02	13.66	5.20	26.1	1.33	24	8.3	8.0	0.02	0.013	0.11
ex122	ex121	0.42	10.96	0.48	0.20	6.90	13.68	5.20	35.9	2.51	24	11.4	44.0	0.06	0.013	1.11
ex121	ex120		10.96		0.00	6.90	13.74	5.19	35.9	5.37	24	11.4	10.0	0.01	0.019	0.54

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CURB OPENING INLET COMPUTATIONS  
 10.00 YEAR RETURN PERIOD  
 0.015 GUTTER "N" VALUE  
 OLD GAME PRESERVE STORAGE: AFTER DEVELOPMENT

USER: JIW  
 DATE: Apr-06  
 CHECKED BY:  
 JOB #: 2006.113.11  
 FILE: INLET2JIW

		AREA				TIME	I	BASE	OVER	TOTAL	INTER	FLOW	TO	INLET	LENGTH	STREET	CROSS	CURB	INLET	GUTTER	FLOW	GUTTER
INLET	AREA	SUM	R	AR	AR			FLOW	FLOW	FLOW	FLOW	BY		COMP.	ACT.	SLOPE	SLOPE	HT.	DEP.	DEPTH	SPREAD	WIDTH
NO.	TYPE	AC.	AC.			MIN.	IN/HR	CFS	CFS	CFS	CFS	CFS		FT.	FT.	%	FT/FT	FT.	IN.	FT.	FT.	IN.
EX123	A10	7.37	7.37	0.68	5.02	13.7	5.20	26.1	0.0	26.1	11.1	15.0	EX102	37.6	10.0	3.33	0.03	0.50	4.0	0.44	14.8	16.00



**Roser, Scott**

---

**From:** Roser, Scott  
**Sent:** Wednesday, May 03, 2006 3:46 PM  
**To:** 'Trey Burke (treasury.burke@cox.net)'  
**Cc:** Watkins, Mike; Bryant, Vic; Plitt, Mike; Wysong, John  
**Subject:** FW: Old Game Preserve Storage

FYI

Scott

-----Original Message-----

**From:** Cheung, Joseph [mailto:Joseph.Cheung@montgomerycountymd.gov]  
**Sent:** Wednesday, May 03, 2006 3:43 PM  
**To:** Roser, Scott  
**Cc:** Navid, Sarah; Kotzalas, Nick; Contreras, Christina  
**Subject:** RE: Old Game Preserve Storage

Scott,

I have briefly reviewed your attached sketches. As far as the alignment of the storm drain connection, that is what I have in mind. However, we would certainly like to see the existing outfall be connected to the back of the inlet unless physically it cannot be done. Then we would entertain other option such as what you have in mind. Without any detail information, I would not make a commitment until we are at plan review stage. As for the two driveways, I believe 150 feet apart is good enough, however we may require the entrance on the south be shifted to align with the existing one on the other side of the road.

As for the record plat, I believe we can do just that without going through MNCPPC.

Joe Cheung

-----Original Message-----

**From:** Roser, Scott [mailto:sroser@mhgpa.com]  
**Sent:** Wednesday, May 03, 2006 2:58 PM  
**To:** Cheung, Joseph  
**Subject:** Old Game Preserve Storage

Joe,

This is in follow-up to yesterday's voice mail and phone conversation in which you outlined the conditions that you felt would be required to permit the release of additional runoff from the proposed development site into the Old Game Preserve right-of-way. You indicated that the County would request a storm drain extension from the existing storm drain in Arrowsmith Court to the lower storm drain outfall behind the "Fitzgerald Auto Dealership Property". I have attached a sketch (SD Exhibit.pdf) showing a double sided inlet and a connecting storm drain system. Please inform us as to whether or not this is the type of extension that you had in mind.

You also confirmed that two driveway entrances would most likely be acceptable. The two proposed entrances are approximately 150' apart as shown on the other attached exhibit (cp\_00\_04.pdf). Please let us know whether or not you concur.

We also discussed that dedication required for Old Game Preserve Road could be handled by including it and an MCDPS sign off block on the Record Plat.

Scott

5/3/2006



**WASHINGTON SUBURBAN  
SANITARY COMMISSION**

14501 Sweitzer Lane Laurel, MD 20707 301-206-8000  
[www.wsscwater.com](http://www.wsscwater.com) TTY: 301-206-8345

TO: ROB ROBINSON, PLANNING AND CODE ADMINISTRATION  
CITY OF GAITHERSBURG

FROM: NORMA J. THACKER, DSC TECHNICIAN II  
DEVELOPMENT SERVICES GROUP  
PHONE #301-206-8643  
E-MAIL – [nthacke@wsscwater.com](mailto:nthacke@wsscwater.com)

DATE: AUGUST 8, 2006

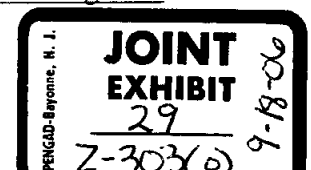
SUBJECT: DUANE PROPERTY

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Site Plan Number: **SDP-Z-303(o)**

The above referenced submittal has been reviewed with the following comments:

- ☒ Sewer Extension will be required.
- ☒ Water is available.
- ☐ Existing WSSC facilities are located on the site. Submission has been made to the WSSC.  
Call Development Services Center at 301-206-8650.
- ☒ Onsite plan review package should be submitted. Contact our Permit Services Unit at 301-206-4003 for additional information. \_\_\_\_\_
- ☒ Project # DA4525Z06 is an approved project within the limits of this proposed site. Contact Ann Russell at 301-206-8823 for additional information.
- ☐ Additional Rights-of-Way is required. \_\_\_\_\_
- ☒ Other: Sewer service is dependent upon project DA4016Z05-Whetstone Run being constructed and placed in service. An off-site right-of-way easement for an 8" sewer main will be required through Parcel 949 serve the proposed site. The applicant proposed a sewer main alignment traversing south of proposed lot 22 TH property line connecting into the adjacent project. A sleeve or tunnel may be required under Game Preserve Rd. An alternative sewer alignment has been recommended traversing the proposed private roadway into the Whetstone Run development to avoid an excessively deep sewer (10-22') and their retaining wall on property. The minimum right-of-way width for one extension installed at normal depth is 20 feet. Installation of deep sewer mains will require additional right-of-way width and special design that takes into consideration of future maintenance.
- ☐ No comment.





August 8, 2006

Ashby Tanner  
Law Section  
The Gaithersburg Gazette  
P.O. Caller 6006  
Gaithersburg, Maryland 20884

Dear Ms. Tanner:  
Please publish the following legal advertisement in the **August 30 & September 6, 2006**, issues of the *Gaithersburg Gazette*.

Sincerely,

Rob Robinson, Planner  
Planning and Code Administration

Acct# 133649 Z-303(o)

### NOTICE OF PUBLIC MEETING

The Mayor and Council and Planning Commission of the City of Gaithersburg will conduct a joint public hearing on Z-303(o), filed by Jody Kline, Esq., for Travis Avenue Self Storage, LLC, on

**MONDAY  
SEPTEMBER 18, 2006  
AT 7:30 P.M.**

or as soon thereafter as this matter can be heard in the Council Chambers at 31 South Summit Avenue, Gaithersburg, Maryland.

This is an application to rezone 1.2099 acres of land, currently known as Lot P-87, the Duane Property, located off Old Game Preserve Road between Arrowsmith Court and Travis Avenue in the City of Gaithersburg, from the existing C-2 (General Commercial) Zone to the E-1 (Urban Employment) Zone, under the Optional Method of rezoning, in accordance with §24-196 (map amendments) and §24-198 (optional method) of the City Code.

Further information may be obtained from the Planning and Code Administration Department at City Hall, 31 South Summit Avenue, between the hours of 8 a.m. and 5 p.m., Monday through Friday, or visit the City's website at [www.gaithersburgmd.gov](http://www.gaithersburgmd.gov).

Rob Robinson, Planner  
Planning and Code Administration  
RR III

City of Gaithersburg • 31 South Summit Avenue, Gaithersburg, Maryland 20877-2098  
301-258-6300 • FAX 301-948-6149 • TTY 301-258-6430 • [cityhall@gaithersburgmd.gov](mailto:cityhall@gaithersburgmd.gov) • [www.gaithersburgmd.gov](http://www.gaithersburgmd.gov)

MAYOR  
Sidney A. Katz

COUNCIL MEMBERS  
Stanley J. Alster  
Geraldine E. Edens  
Henry F. Marraffa, Jr.  
John B. Schlichting  
Michael A. Sesma

CITY MANAGER  
David B. Humpal



**From:** Eli Golfer  
**To:** Johnson, Frank  
**Date:** 07/24/2006 2:38:29 PM  
**Subject:** Travis Avenue Self Storage

Good Afternoon Frank,

Below are my comments for the Travis Avenue Self Storage forest conservation plan. Also, please find attached an updated version of our conservation easements. Don't hesitate to call me with any questions.

**Site: Travis Avenue Self Storage**  
**Forest Conservation Plan Date: 07/21/2006**  
**Review Date: 07/24/2006**

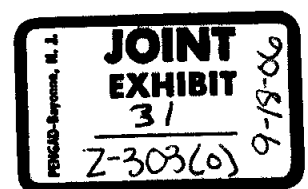
**Forest Conservation Plan Comments:**

1. Replace the General Notes with the standard notes on pages 10-11, 12-13, and 48-49 from the City of Gaithersburg Tree Manual.
2. Indicate the forest to be cleared and forest to be saved on the plan.
3. Adjust the hatched afforestation area along the western edge of the property, it does not match up with the property boundary. Indicate if this changes any of the acreages.
4. Clearly show the LOD on the plan.

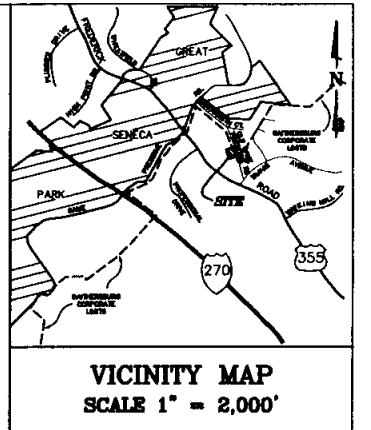
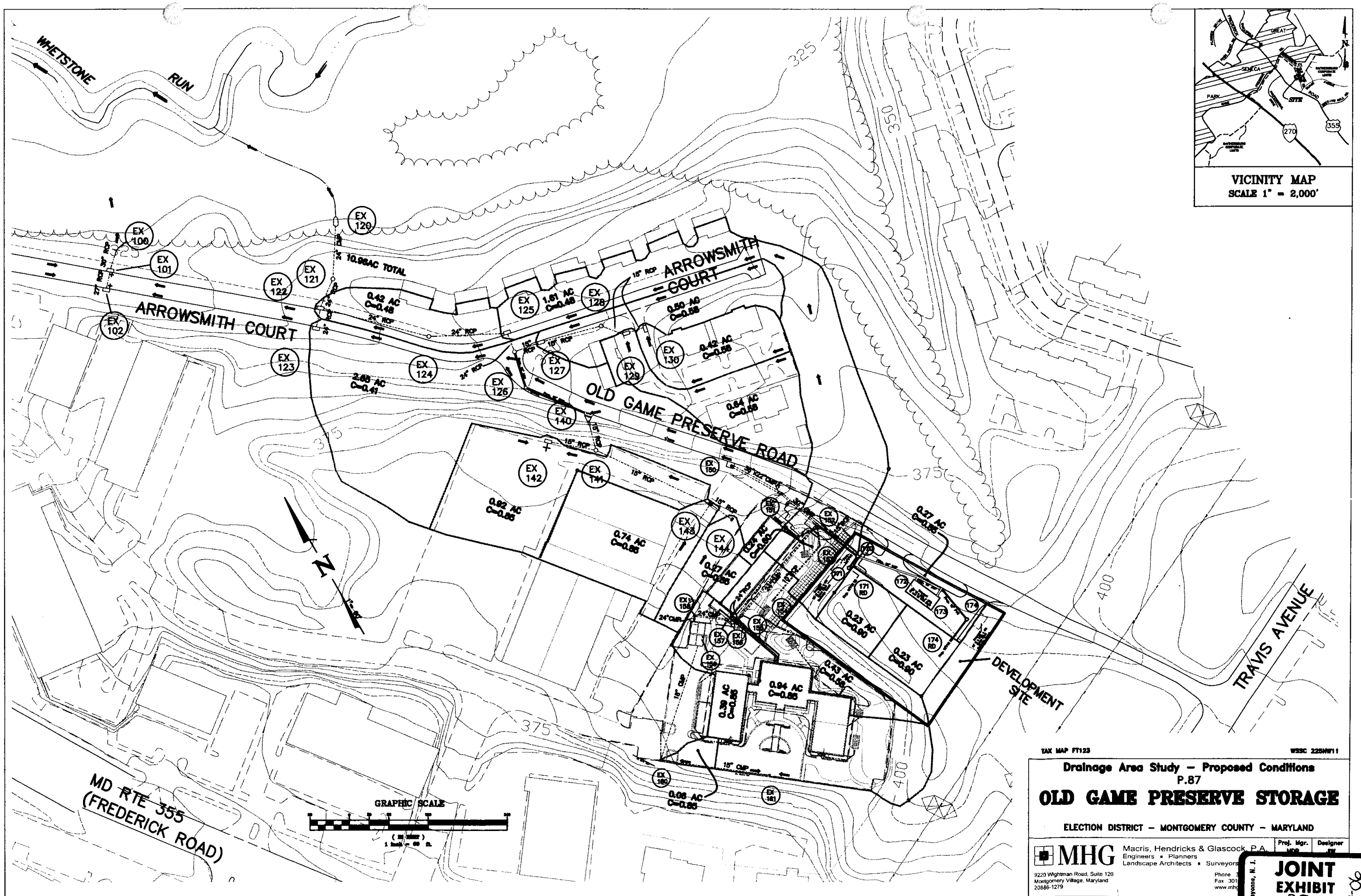
Eli Golfer  
Environmental Specialist  
egolfer@gaitHERSBURGMD.GOV  
31 South Summit Avenue  
Gaithersburg, MD 20877  
(301) 258-6310 Voice  
(301) 948-6149 Fax

The opinions expressed in this message are not necessarily those of the City of Gaithersburg Staff, Mayor or Council.

**CC:** Shingara, Erica



I:\06113\dwg\DA\_00\_02.dwg, DA STUDY\_PROPOSED, 8/7/2006 10:24:59 AM, bryanvi, COPYRIGHT ©2006 MACRIS, HENDRICKS & GLASCOCK, P.A.



TAX MAP FT123 WSSC 225HW11

Drainage Area Study - Proposed Conditions  
P.87

**OLD GAME PRESERVE STORAGE**

ELECTION DISTRICT - MONTGOMERY COUNTY - MARYLAND

**MHG** Macris, Hendricks & Glascock, P.A.  
Engineers • Planners  
Landscape Architects • Surveyors

9220 Wightman Road, Suite 120  
Montgomery Village, Maryland  
20886-1279

Phone 301 208-1279  
Fax 301 208-1279  
www.mhg.com

Proj. Mgr. Designer

**JOINT EXHIBIT 32**

2-303(6) 9-18-06

LAW OFFICES

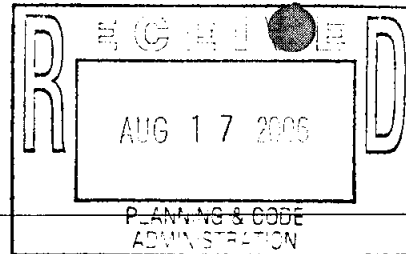
# MILLER, MILLER & CANBY

CHARTERED

200-B MONROE STREET  
ROCKVILLE, MARYLAND 20850

(301) 762-5212  
FAX (301) 762-6044

JSKLINE@MMCANBY.COM



JAMES R. MILLER, JR.  
PATRICK C. MCKEEVER  
JAMES L. THOMPSON  
LEWIS R. SCHUMANN  
JODY S. KLINE  
ELLEN S. WALKER  
MAURY S. EPNER  
JOSEPH P. SUNTUM  
SUSAN W. CARTER  
ROBERT E. GOUGH  
GLENN M. ANDERSON\*  
DONNA E. McBRIDE  
MICHAEL G. CAMPBELL  
SOO LEE-CHO  
*\*Licensed in Maryland and Florida*

August 15, 2006

Mr. Rob Robinson  
Planning Department  
City of Gaithersburg  
31 South Summit Avenue  
Gaithersburg, MD 20878

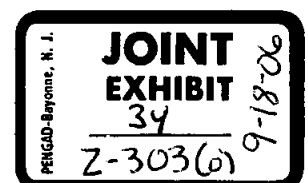
RE: Old Game Preserve Road

Dear Rob:

After our meeting on August 14<sup>th</sup>, we conducted some research into the right-of-way width for Old Game Preserve Road. We are pleased to report that we have verified that the width of Old Game Preserve Road is 50 feet.

I enclose a copy of the record plat for the subdivision known as "Whetstone Run" located directly across Old Game Preserve Road from the property which is the subject of Zoning Application No. Z-303(o). On that plat you will note that Old Game Preserve Road is shown as having a "50' R/W". Furthermore, the southwestern property line of the subject property was set by dedication at 25 feet from the "centerline exist. paving", being one-half of a 50 foot wide road. Since the "Whetstone Run" property was located in Montgomery County, and the plat was processed by Montgomery County agencies, and the plat was just recorded in June of this year, we believe that information to be adequate confirmation of the width of Old Game Preserve Road to be 50 feet wide.

I might add, I represented the "Whetstone Run" property owner in the rezoning of its property to the RT classification. I recall that during the review of the zoning application (G-812), the Transportation Planning Division noted that the applicant would have to dedicate property along the frontage of Whetstone Run to provide 25 feet of right-of-way from the centerline of Old Game Preserve Road. That recommendation was included in the Hearing Examiner's Report, who concluded that such dedication would allow for 13 feet of pavement, which is half of the standard 26 feet of pavement required for a secondary road, plus sidewalks.



We hope that the information above is responsive to your inquiry. By a copy of this letter to Mr. Sam Farhadi, Montgomery County Department of Public Works and Transportation, I am advising Sam of the results of our research. We would be glad to answer any questions which you have about this matter. However, we will assume that you concur in our conclusion and will be looking for dedication to create 50 feet of right of way along Old Game Preserve Road in front of the property which is the subject of Zoning Application No. Z-303(o).

Sincerely yours,

MILLER, MILLER & CANBY

A handwritten signature in black ink that reads "Jody" with a stylized flourish at the end.

Jody S. Kline

JSK/dlt

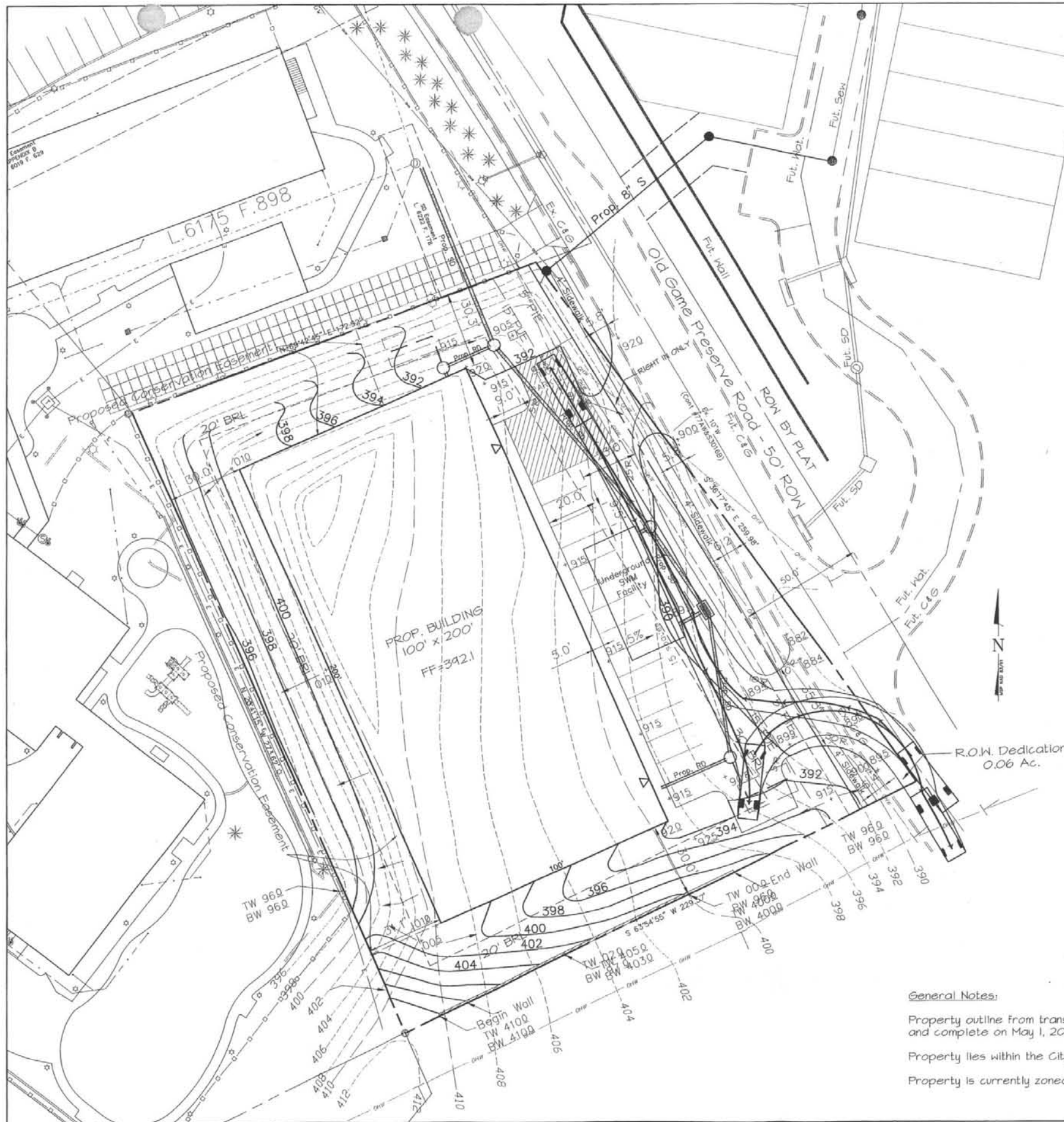
Enclosure

cc: Ollie Mumpower  
Sam Farhadi  
Trey Burke  
Diane Tipton  
Vic Bryant  
Sam Butz  
Donna McBride, Esquire









#### DEVELOPMENT STANDARDS

Use: Self Storage

Gross Floor Area: 100,000 sf. proposed

Lot Area:

Gross Tract Area: 52,995 sf or 1.216 ac.  
Dedication of ROW: 2,695 sf or 0.061 ac.  
Net Lot Area: 50,300 sf or 1.154 ac.

Division 17: E-1, Urban Employment

#### GENERAL DEVELOPMENT STANDARDS

	REQUIRED	PROVIDED
1. Sec. 24-154 Landscaping	not less than 30% of the Net Lot Area shall be landscaped and screened	30%
2. Sec. 24-155 Min. Lot Area	1 acre minimum	1.216 AC, or 52,955 sf.
3. Sec. 24-156 Min. Lot Width	100'	256'
4. Sec. 24-158 Height Restriction	45'	45'
5. Sec. 24-219(b) Parking Tabulations		
1 Residence (2Br) 2/DU:	2	2
Employee (2) 1/Employee:	2	2
Office (1,200 sf) 1 space, 300 sf:	4	11
TOTAL:	8	15

6. Binding Elements Under the Optional Method of Application (Schematic Development Plan)

Development Standards	Permitted/Required	Building Element
a. Land Use	See Section 24-151	a. Warehousing, Storage and Distribution Facility b. Offices accessory to the principal use c. Research, experimental and testing labs d. Telecommunication facilities for roof top mounted cellular telephone antennas
b. Yard Requirements		
Front	30'	37'
Side/Rear	20'	30'
c. Maximum Lot Coverage	50% or 25,150SF	42% or 22,250SF
d. Minimum Green Space	30% or 15,090SF	34% or 18,000SF

#### General Notes:

Property outline from transit-tape survey performed by MHG and complete on May 1, 2006.

Property lies within the City of Gaithersburg.

Property is currently zoned C-2.

TAX MAP FT123

WSSC 225NW11

#### SCHEMATIC DEVELOPMENT PLAN P.87

### TRAVIS AVENUE SELF STORAGE ZONE

9 TH ELECTION DISTRICT - MONTGOMERY COUNTY - MARYLAND



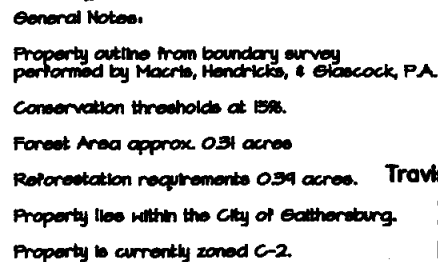
Macris, Hendricks & Glascock, P.A.  
Engineers • Planners  
Landscape Architects • Surveyors

9220 Wightman Road, Suite 120  
Montgomery Village, Maryland  
20886-1279

Phone 301.570.0840  
Fax 301.548.0593  
www.mhga.com

Proj. Mgr. VSB  
Designer M.J.W.  
Date July, 06  
Scale 1"=20'  
Project No. 113  
Sheet 1 of 1

**JOINT EXHIBIT 35**  
Z-303(w) 9-18-06



2025 RELEASE UNDER E.O. 14176

2. HUSBAND OF WIFE, WHO WAS INFORMATION GIVEN WIFE IN CONDUCT AND  
TEND TO BE PLACED AND BEEN PROVIDED IN ACCORDANCE WITH THE  
REQUIREMENTS OF EXTENSIVE STATE AND CITY GOVERNMENTAL REGULATION  
AND REGULATION.

SECRET

Approved & Sent

EXCLUDED ON RELATION INFORMATION  
BY THE DEPT. OF DEFENSE, REQUESTED

**CITY OF GOWANUS**  
25 NORTH STREET, SUITE 200  
GOWANUS, MICHIGAN 49727

**FCP APPROVAL**

THE CITY OF GOWANUS DEVELOPMENT  
NEEDS THE MONEY GRANTS APPROVAL  
OF FISCAL COMMISSION PLAN FOR  
APPLICATION NO. \_\_\_\_\_

DATE \_\_\_\_\_ BY \_\_\_\_\_

**Prepared For:**  
**Travis Avenue Self Storage LLC**  
 c/o Trey Burke  
 9001 Congressional Ct  
 Potomac, MD 20854  
 Phone: 301-299-8618  
 Fax: 301-365-9154

MO.	DATE	DESCRIPTION	RATE



NET 1000
--

2.175 sq/ft or 0.05 Acres to be met via fee-in-lieu

[illegible]

3.22 MORE FOREST CONSERVATION SUPPLEMENTAL PLANNING SCHEDULE				
DATE	DESCRIPTION	AMOUNT	BALANCE	
1/1/01	Initial Investment	1000.00	1000.00	
2/1/01	Dividend Income	50.00	1050.00	
3/1/01	Capital Gain	250.00	1300.00	
4/1/01	Dividend Income	75.00	1375.00	
5/1/01	Capital Gain	150.00	1525.00	
6/1/01	Dividend Income	100.00	1625.00	
7/1/01	Capital Gain	200.00	1825.00	
8/1/01	Dividend Income	125.00	1950.00	
9/1/01	Capital Gain	300.00	2250.00	
10/1/01	Dividend Income	150.00	2400.00	
11/1/01	Capital Gain	400.00	2800.00	
12/1/01	Dividend Income	200.00	3000.00	
1/1/02	Capital Gain	500.00	3500.00	
2/1/02	Dividend Income	250.00	3750.00	
3/1/02	Capital Gain	600.00	4350.00	
4/1/02	Dividend Income	300.00	4650.00	
5/1/02	Capital Gain	750.00	5400.00	
6/1/02	Dividend Income	375.00	5775.00	
7/1/02	Capital Gain	900.00	6675.00	
8/1/02	Dividend Income	450.00	7125.00	
9/1/02	Capital Gain	1125.00	8250.00	
10/1/02	Dividend Income	562.50	8812.50	
11/1/02	Capital Gain	1406.25	10218.75	
12/1/02	Dividend Income	510.94	10729.69	
1/1/03	Capital Gain	1268.57	12000.00	
2/1/03	Dividend Income	634.29	12634.29	
3/1/03	Capital Gain	1585.71	14220.00	
4/1/03	Dividend Income	792.86	15012.86	
5/1/03	Capital Gain	1982.14	17000.00	
6/1/03	Dividend Income	991.07	17991.07	
7/1/03	Capital Gain	2478.57	20469.64	
8/1/03	Dividend Income	1239.29	21708.93	
9/1/03	Capital Gain	3148.57	24857.50	
10/1/03	Dividend Income	1574.29	26431.79	
11/1/03	Capital Gain	4035.71	30467.50	
12/1/03	Dividend Income	2017.86	32485.36	
1/1/04	Capital Gain	3619.05	36104.41	
2/1/04	Dividend Income	1809.52	37913.93	
3/1/04	Capital Gain	4828.57	42742.50	
4/1/04	Dividend Income	2414.29	45156.79	
5/1/04	Capital Gain	6035.71	51192.50	
6/1/04	Dividend Income	3017.86	54210.36	
7/1/04	Capital Gain	7542.86	61753.22	
8/1/04	Dividend Income	3771.43	65524.65	
9/1/04	Capital Gain	9428.57	74953.22	
10/1/04	Dividend Income	4714.29	79667.51	
11/1/04	Capital Gain	11785.71	91453.22	
12/1/04	Dividend Income	5892.86	97346.08	
1/1/05	Capital Gain	5296.43	102642.51	
2/1/05	Dividend Income	2648.21	105290.72	
3/1/05	Capital Gain	6716.93	112007.65	
4/1/05	Dividend Income	3358.47	115366.12	
5/1/05	Capital Gain	8542.11	123908.23	
6/1/05	Dividend Income	4271.06	128179.29	
7/1/05	Capital Gain	10676.92	138856.21	
8/1/05	Dividend Income	5338.46	144194.67	
9/1/05	Capital Gain	13190.48	157385.15	
10/1/05	Dividend Income	6595.24	163980.39	
11/1/05	Capital Gain	16488.57	180468.96	
12/1/05	Dividend Income	8244.29	188713.25	
1/1/06	Capital Gain	7392.86	196106.11	
2/1/06	Dividend Income	3696.43	199802.54	
3/1/06	Capital Gain	9240.00	209042.54	
4/1/06	Dividend Income	4620.00	213662.54	
5/1/06	Capital Gain	11550.00	225212.54	
6/1/06	Dividend Income	5775.00	230987.54	
7/1/06	Capital Gain	14375.00	245362.54	
8/1/06	Dividend Income	7187.50	252550.04	
9/1/06	Capital Gain	17968.75	270518.79	
10/1/06	Dividend Income	8984.38	279503.17	
11/1/06	Capital Gain	22460.94	301964.11	
12/1/06	Dividend Income	11230.47	313194.58	
1/1/07	Capital Gain	5096.43	318291.01	
2/1/07	Dividend Income	2548.21	320839.22	
3/1/07	Capital Gain	6346.93	327186.15	
4/1/07	Dividend Income	3173.47	330359.62	
5/1/07	Capital Gain	7968.57	338328.19	
6/1/07	Dividend Income	3984.29	342312.48	
7/1/07	Capital Gain	9960.48	352272.96	
8/1/07	Dividend Income	4980.24	357253.20	
9/1/07	Capital Gain	12450.48	370003.68	
10/1/07	Dividend Income	6225.24	376228.92	
11/1/07	Capital Gain	15460.94	391689.86	
12/1/07	Dividend Income	7730.47	399420.33	
1/1/08	Capital Gain	3428.57	402848.90	
2/1/08	Dividend Income	1714.29	404563.19	
3/1/08	Capital Gain	4285.71	408848.90	
4/1/08	Dividend Income	2142.86	410991.76	
5/1/08	Capital Gain	5357.14	416348.90	
6/1/08	Dividend Income	2678.57	419027.47	
7/1/08	Capital Gain	6714.29	425741.76	
8/1/08	Dividend Income	3357.14	429098.90	
9/1/08	Capital Gain	8428.57	437527.47	
10/1/08	Dividend Income	4214.29	441741.76	
11/1/08	Capital Gain	10535.71	452277.47	
12/1/08	Dividend Income	5267.86	457545.33	
1/1/09	Capital Gain	2369.05	460014.38	
2/1/09	Dividend Income	1184.52	461198.90	
3/1/09	Capital Gain	2954.55	464153.45	
4/1/09	Dividend Income	1477.27	465630.72	
5/1/09	Capital Gain	3692.31	469323.03	
6/1/09	Dividend Income	1846.15	471169.18	
7/1/09	Capital Gain	4615.38	475784.56	
8/1/09	Dividend Income	2307.69	478092.25	
9/1/09	Capital Gain	5769.23	483861.48	
10/1/09	Dividend Income	2884.62	486746.10	
11/1/09	Capital Gain	7173.08	493919.18	
12/1/09	Dividend Income	3586.54	497505.72	
1/1/10	Capital Gain	1638.46	500144.18	
2/1/10	Dividend Income	819.23	500963.41	
3/1/10	Capital Gain	2046.15	502909.56	
4/1/10	Dividend Income	1023.08	503932.64	
5/1/10	Capital Gain	2557.69	506490.33	
6/1/10	Dividend Income	1278.85	507769.18	
7/1/10	Capital Gain	3196.43	510965.61	
8/1/10	Dividend Income	1598.21	512563.82	
9/1/10	Capital Gain	3990.48	516554.30	
10/1/10	Dividend Income	1995.24	518549.54	
11/1/10	Capital Gain	4988.57	523538.11	
12/1/10	Dividend Income	2494.29	526032.40	
1/1/11	Capital Gain	549.64	526582.04	
2/1/11	Dividend Income	274.82	526856.86	
3/1/11	Capital Gain	687.14	527544.00	
4/1/11	Dividend Income	343.57	527887.57	
5/1/11	Capital Gain	864.29	528751.86	
6/1/11	Dividend Income	432.15	529184.01	
7/1/11	Capital Gain	1080.38	530264.39	
8/1/11	Dividend Income	540.19	530804.58	
9/1/11	Capital Gain	1350.48	532155.06	
10/1/11	Dividend Income	675.24	532830.30	
11/1/11	Capital Gain	1688.57	534518.87	
12/1/11	Dividend Income	844.29	535363.16	
1/1/12	Capital Gain	184.62	535547.78	
2/1/12	Dividend Income	92.31	535640.09	
3/1/12	Capital Gain	230.77	535870.86	
4/1/12	Dividend Income	115.38	535986.24	
5/1/12	Capital Gain	293.46	536279.70	
6/1/12	Dividend Income	146.73	536426.43	
7/1/12	Capital Gain	366.92	536793.35	
8/1/12	Dividend Income	183.46	536976.81	
9/1/12	Capital Gain	459.62	537436.43	
10/1/12	Dividend Income	229.81	537666.24	
11/1/12	Capital Gain	574.52	538240.76	
12/1/12	Dividend Income	287.26	538528.02	
1/1/13	Capital Gain	62.31	538590.33	
2/1/13	Dividend Income	31.15	538621.48	
3/1/13	Capital Gain	77.69	538699.17	
4/1/13	Dividend Income	38.85	538738.02	
5/1/13	Capital Gain	97.02	538835.04	
6/1/13	Dividend Income	48.51	538883.55	
7/1/13	Capital Gain	121.29	539004.84	
8/1/13	Dividend Income	60.64	539065.48	
9/1/13	Capital Gain	151.54	539217.02	
10/1/13	Dividend Income	75.77	539292.79	
11/1/13	Capital Gain	189.52	539482.31	
12/1/13	Dividend Income	94.76	539577.07	
1/1/14	Capital Gain	10.38	539587.45	
2/1/14	Dividend Income	5.19	539592.64	
3/1/14	Capital Gain	12.97	539605.61	
4/1/14	Dividend Income	6.48	539612.09	
5/1/14	Capital Gain	32.44	539644.53	
6/1/14	Dividend Income	16.22	539660.75	
7/1/14	Capital Gain	40.55	539701.30	
8/1/14	Dividend Income	20.27	539721.57	
9/1/14	Capital Gain	50.69	539772.26	
10/1/14	Dividend Income	25.34	539797.60	
11/1/14	Capital Gain	63.46	539861.06	
12/1/14	Dividend Income	31.73	539892.79	
1/1/15	Capital Gain	3.46	539896.25	
2/1/15	Dividend Income	1.73	539897.98	
3/1/15	Capital Gain	4.37	539902.35	
4/1/15	Dividend Income	2.18	539904.53	
5/1/15	Capital Gain	8.93	539913.46	
6/1/15	Dividend Income	4.46	539917.92	
7/1/15	Capital Gain	11.15	539929.07	
8/1/15	Dividend Income	5.57	539934.64	
9/1/15	Capital Gain	13.93	539948.57	
10/1/15	Dividend Income	6.96	539955.53	
11/1/15	Capital Gain	17.41	539972.94	
12/1/15	Dividend Income	8.70	539981.64	
1/1/16	Capital Gain	0.92	539982.56	
2/1/16	Dividend Income	0.46	539983.02	
3/1/16	Capital Gain	1.15	539984.17	
4/1/16	Dividend Income	0.57	539984.74	
5/1/16	Capital Gain	2.30	539987.04	
6/1/16	Dividend Income	1.15	539988.19	
7/1/16	Capital Gain	2.88	539991.07	
8/1/16	Dividend Income	1.44	539992.51	
9/1/16	Capital Gain	3.70	539996.21	
10/1/16	Dividend Income	1.85	539998.06	
11/1/16	Capital Gain	4.62	540002.68	
12/1/16	Dividend Income	2.31	540004.99	
1/1/17	Capital Gain	0.24	540005.23	
2/1/17	Dividend Income	0.12	540005.35	
3/1/17	Capital Gain	0.30	540005.65	
4/1/17	Dividend Income	0.15	540005.80	
5/1/17	Capital Gain	0.60	540006.40	
6/1/17	Dividend Income	0.30	540006.70	
7/1/17	Capital Gain	0.75	540007.45	
8/1/17	Dividend Income	0.37	540007.82	
9/1/17	Capital Gain	0.94	540008.76	
10/1/17	Dividend Income	0.47	540009.23	
11/1/17	Capital Gain	1.15	540010.38	
12/1/17	Dividend Income	0.57	540010.95	
1/1/18	Capital Gain	0.06	540011.01	
2/1/18	Dividend Income	0.03	540011.04	
3/1/18	Capital Gain	0.15	540011.19	
4/1/18	Dividend Income	0.07	540011.26	
5/1/18	Capital Gain	0.30	540011.56	
6/1/18	Dividend Income	0.15	540011.71	
7/1/18	Capital Gain	0.37	540012.08	
8/1/18	Dividend Income	0.19	540012.27	
9/1/18	Capital Gain	0.47	540012.74	
10/1/18	Dividend Income	0.23	540012.97	
11/1/18	Capital Gain	0.58	540013.55	
12/1/18	Dividend Income	0.29	540013.84	
1/1/19	Capital Gain	0.03	540013.87	
2/1/19	Dividend Income	0.01	540013.88	
3/1/19	Capital Gain	0.08	540013.96	
4/1/19	Dividend Income	0.04	540014.00	
5/1/19	Capital Gain	0.15	540014.15	
6/1/19	Dividend Income	0.07	540014.22	
7/1/19	Capital Gain	0.19	540014.41	
8/1/19	Dividend Income	0.09	540014.50	
9/1/19	Capital Gain	0.23	540014.73	
10/1/19	Dividend Income	0.11	540014.84	
11/1/19	Capital Gain	0.29	540015.13	
12/1/19	Dividend Income	0.14	540015.27	
1/1/20	Capital Gain	0.01	540015.28	
2/1/20	Dividend Income	0.01	540015.29	
3/1/20	Capital Gain	0.04	540015.33	
4/1/20	Dividend Income	0.02	540015.35	
5/1/20	Capital Gain	0.15	540015.50	
6/1/20	Dividend Income	0.07	540015.57	
7/1/20	Capital Gain	0.19	540015.76	
8/1/20	Dividend Income	0.09	540015.85	
9/1/20	Capital Gain	0.23	540016.08	
10/1/20	Dividend Income	0.11	540016.19	
11/1/20	Capital Gain	0.29	540016.48	
12/1/20	Dividend Income	0.14	540016.62	
1/1/21	Capital Gain	0.		

1. One (1) 22 inch Nylon/Plastic Tarpaulin, one (1) for shelter, with the above print material at a site of 200 sq ft or more (above 2000 sq ft or more, a 22 inch tarpaulin).
2. One (1) 22 inch Nylon/Plastic Tarpaulin, one (1) for shelter, with the above print material at a site of 200 sq ft or more (above 2000 sq ft or more, a 22 inch tarpaulin).
3. One (1) 22 inch Nylon/Plastic Tarpaulin, one (1) for shelter, with the above print material at a site of 200 sq ft or more (above 2000 sq ft or more, a 22 inch tarpaulin).

[illegible]

- The 0.105 liter (105 milliliter) sample size with the standard with the standard deviation of 0.0012 liter (1.2 ml) is a 10% sample size with a standard deviation of 0.0012 liter (1.2 ml)
- The 0.105 liter (105 milliliter) sample size with the standard with the standard deviation of 0.0012 liter (1.2 ml) is a 10% sample size with a standard deviation of 0.0012 liter (1.2 ml)
- The 0.105 liter (105 milliliter) sample size with the standard with the standard deviation of 0.0012 liter (1.2 ml) is a 10% sample size with a standard deviation of 0.0012 liter (1.2 ml)

## THE MAP ITSELF

WFO: 2007011

**PRELIMINARY FOREST CONSERVATION PLAN**  
**P.87**  
**TRAVEL AVENUE SELF STORAGE ZONE**

9TH ELECTION DISTRICT - CITY OF BAITHERSBURG - MARYLAND



**Macris, Hendricks & Glascock, P.A.**  
Engineers • Planners  
Landscape Architects • Surveyors

9220 Wightman Road, Suite 12  
Montgomery Village, Maryland  
20886-1279

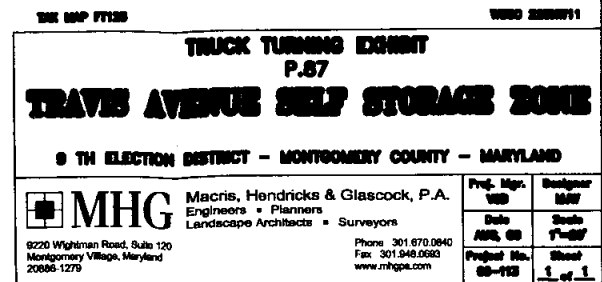
Proj. Mgr. MSP	Designer FOJ
Date	Sheet

Phone 301.670.0840  
Fax 301.948.0683  
[www.mhqq.com](http://www.mhqq.com)

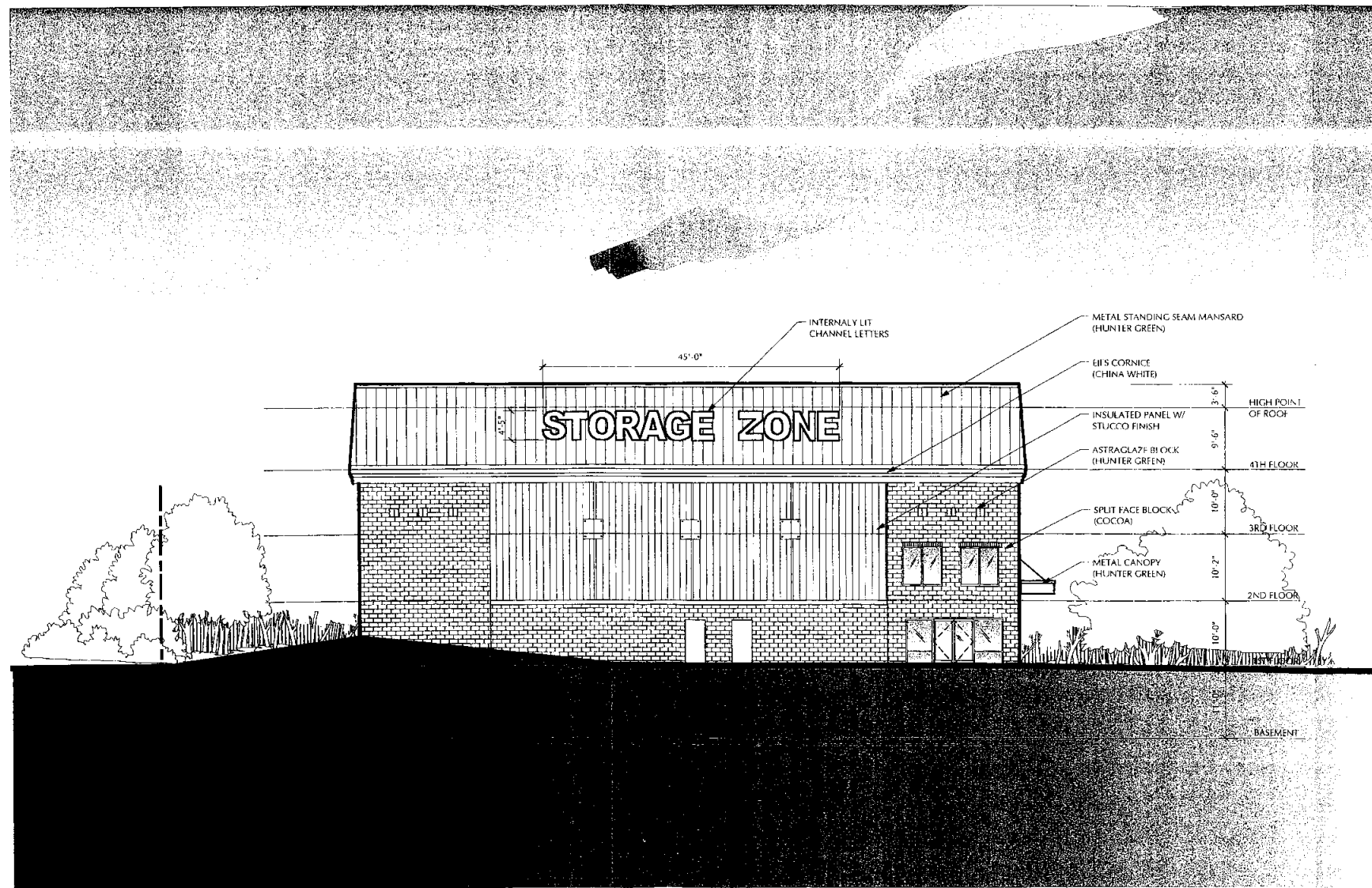
07-21-05	T-07
Project No. 07-012	Sheet 1 of 1



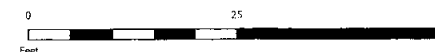


[illegible]

**JOINT  
EXHIBIT**  
39  
Z-30360 9-18-06



CONCEPT SOUTH ELEVATION



• RELEASE DATE •  
• BUTZ •  
• WILBERN •  
• PRELIMINARY •

**TRAVIS AVENUE SELF STORAGE ZONE**

Travis Avenue Self Storage LLC  
Street Address OR Legal Description  
Magisterial District, County, State

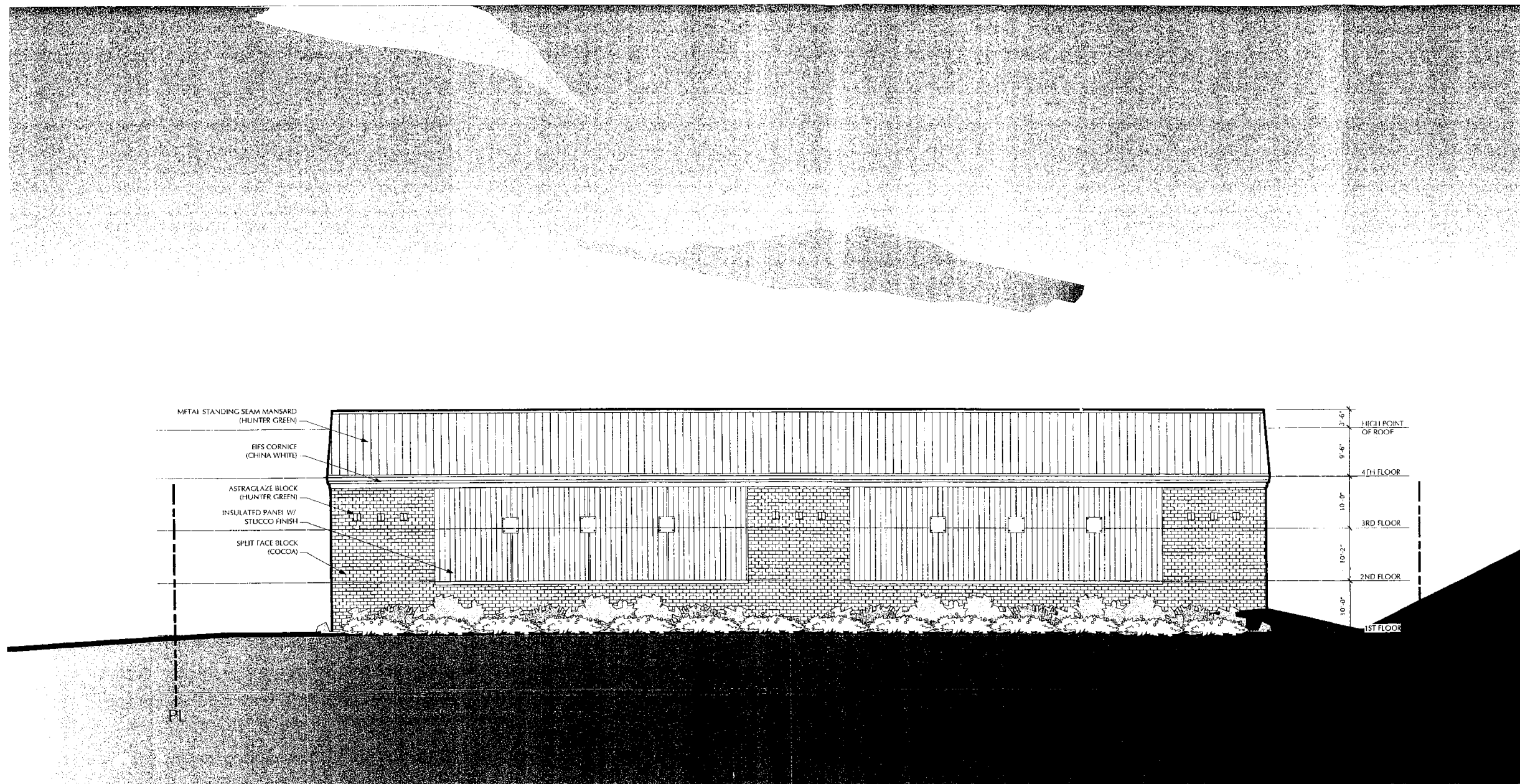
• BUTZ •  
• WILBERN •  
Architecture • Planning  
Interiors • Property Visioning  
6718 Whittier Ave. # 120  
McLean, Virginia 22101  
703-356-6771 Fax: 356-7010

P-5

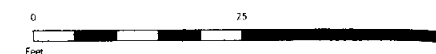
25109

JOINT  
EXHIBIT  
43  
Z-303(0) 9-18-06

PENGAD-Byorne, N. J.



CONCEPT WEST ELEVATION  
FROM ROCKVILLE PIKE



REF. FAST DATE  
8/15/06 PRELIMINARY

**TRAVIS AVENUE SELF STORAGE ZONE**

Travis Avenue Self Storage LLC  
Street Address OR Legal Description  
Magisterial District, County, State

**BUTZ  
WILBERN**

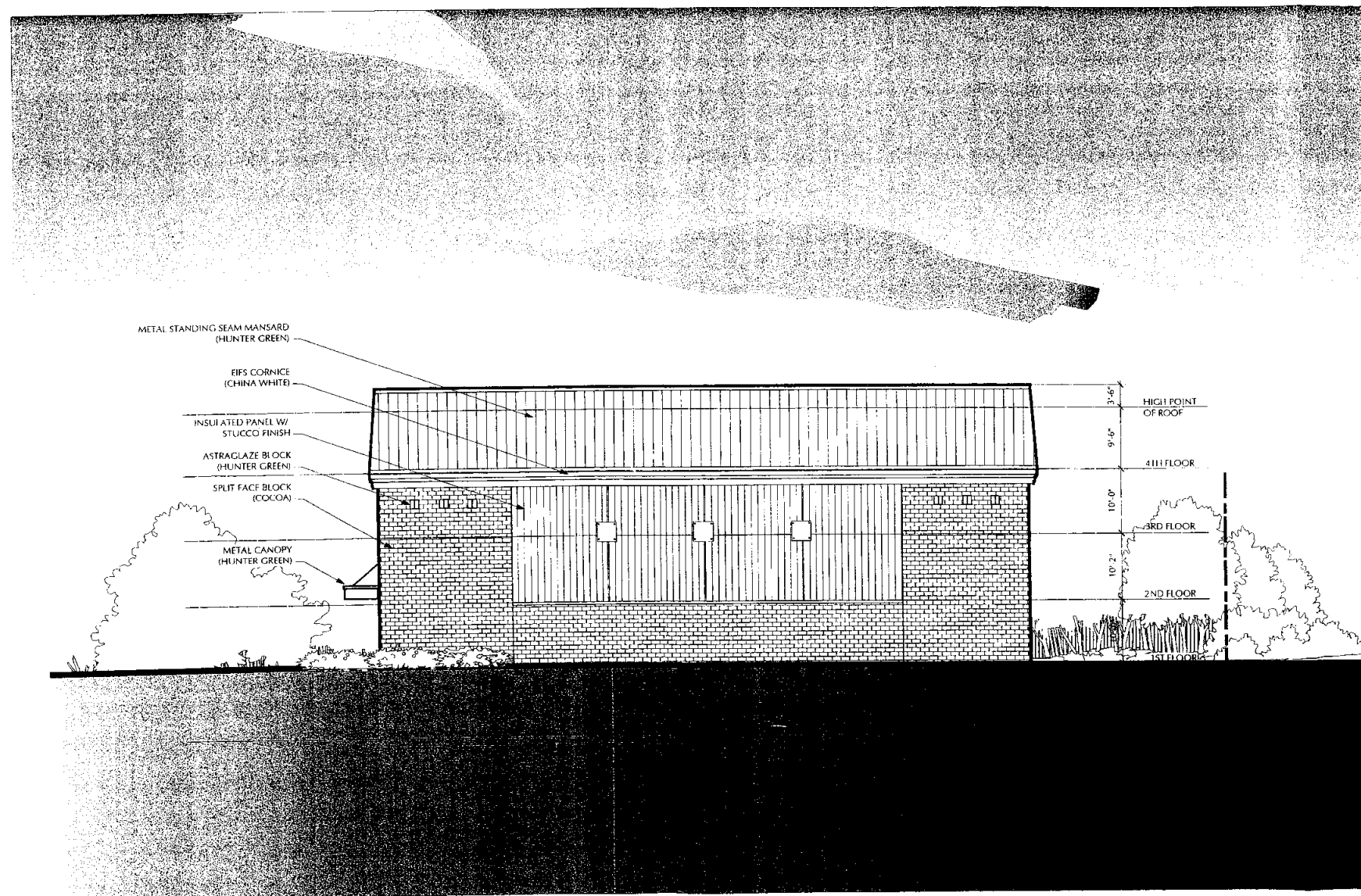
Architecture • Planning  
Interiors • Property Visioning

6718 Whittier Ave. # 120  
McLean, Virginia 22101  
703-356-6771 Fax: 356-7010

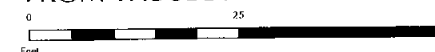
PENGAD-Bayonne, N. J.  
**JOINT  
EXHIBIT**  
44  
2-303(6) 9-18-06

P-4

25109



CONCEPT NORTH ELEVATION  
FROM THE SLOPE EASEMENT



• RELEASE DATE •  
• 07/15/06 PRELIMINARY •

**TRAVIS AVENUE SELF STORAGE ZONE**

Travis Avenue Self Storage LLC  
Street Address OR Legal Description  
Magisterial District, County, State

• BUTZ •  
• WILBERN •

Architecture • Planning  
Interiors • Property Visioning  
6718 Whittier Ave. # 120  
McLean, Virginia 22101  
703-356-6271 fax: 356-7010

PERGAD-Bayonne, N. J.  
**JOINT  
EXHIBIT**  
45  
2-303(0)  
9-18-06

P-3

• 25103 •

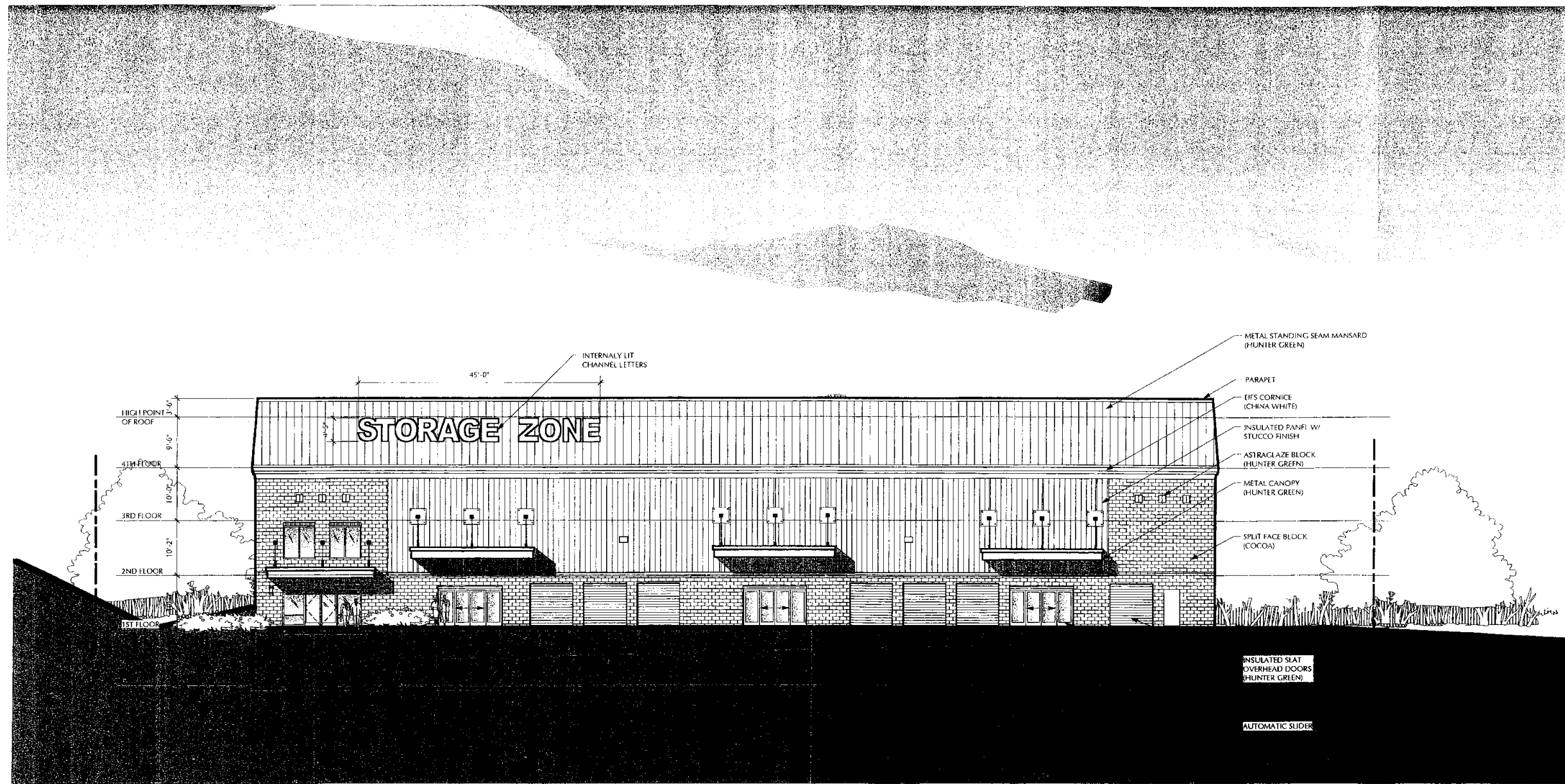


• BUTZ •  
 WILBERN

Architecture • Planning  
 Interiors • Property Visioning  
 6718 Whittier Ave., # 120  
 McLean, Virginia 22101  
 703-356-6771 fax: 356-7010

PENGAD-BAYONNE, N. J.  
**JOINT EXHIBIT**  
 46  
 2-30360 9-18-06

P-2  
 25109



CONCEPT EAST ELEVATION  
 FROM OLD GAME PRESERVE ROAD

LAW OFFICES

# MILLER, MILLER & CANBY

CHARTERED

200-B MONROE STREET  
ROCKVILLE, MARYLAND 20850

(301) 762-5212  
FAX (301) 762-6044

JSKLINE@MMMCANBY.COM

August 18, 2006

JAMES R. MILLER, JR.  
PATRICK C. MCKEEVER  
JAMES L. THOMPSON  
LEWIS R. SCHUMANN  
JODY S. KLINE  
ELLEN S. WALKER  
MAURY S. EPNER  
JOSEPH P. SUNTUM  
SUSAN W. CARTER  
ROBERT E. GOUGH  
GLENN M. ANDERSON\*  
DONNA E. McBRIDE  
MICHAEL G. CAMPBELL  
SOO LEE-CHO  
*\*Licensed in Maryland and Florida*

Mr. Rob Robinson  
Department of Planning and Zone Enforcement  
City of Gaithersburg  
31 South Summit Avenue  
Gaithersburg, MD 20878

RE: Zoning Application No. Z-303(a),

Dear Rob:

In accordance with your recent instructions, we have revised the application materials to indicate that a "Residence for a caretaker accessory to the principal use" is proposed in conjunction with the self-storage facility. Attached is a revised Declaration of Covenants incorporating that language in Article 2, "Limitations on Use" (as a new subparagraph "e").

Under separate cover, you will receive from Vic Bryant a revised Schematic Development Plan with the same additional language added to the Binding Elements Table shown on the face of the plan.

Please call me if you have any questions relating to this matter.

Sincerely yours,

MILLER, MILLER & CANBY

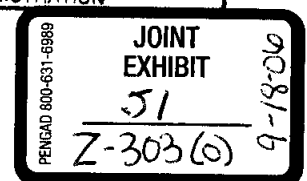
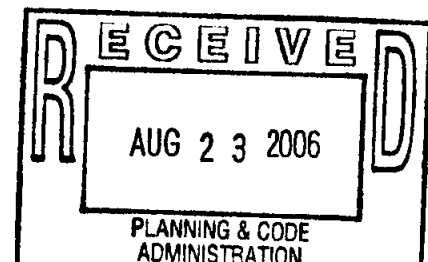
**JODY**

Jody S. Kline

JSK/cas

Enclosure

cc: Trey Burke  
Diane Tipton  
Vic Bryant  
Sam Butz



## DECLARATION OF COVENANTS

THIS DECLARATION OF COVENANTS is made this \_\_\_\_\_ day of \_\_\_\_\_, 2006, by TRAVIS AVENUE SELF STORAGE, LLC ("DECLARANT").

WITNESSETH:

WHEREAS, the Code of the City of Gaithersburg, Maryland provides in Section 24-198 (Zoning Ordinance) for an optional method of application for local zoning map amendments in which an applicant may limit a development standard to less than the maximum permitted in a requested zone, or the applicant may limit the land use of the property to be rezoned to less than all of the uses permitted in the requested zone; and

WHEREAS, DECLARANT has submitted to the City of Gaithersburg a local map amendment zoning application seeking E-1 zoning for a parcel of land located within the boundaries of the City of Gaithersburg ("Subject Property") identified on Exhibit A (Plat) and Exhibit B (Metes and Bounds Description) attached hereto and incorporated herein by reference, said zoning application having been designated by the City of Gaithersburg as Zoning Application No. Z-303(a); and

WHEREAS, it is the intention of DECLARANT in Zoning Application No. Z-303(a) to limit the development standards and the land uses of the E-1 zone for the Subject Property to less than the maximum permitted in the E-1 zone; and

WHEREAS, Section 24-198(b) of the City Zoning Ordinance requires the filing, with a zoning application under the optional method of development, of a covenant specifying the manner in which the property to be rezoned is to be restricted in its development standards or use, and that such application include language that the Property shall be restricted in its use and/or development standards to the schematic development plan and accompanying or qualifying text materials submitted with such plan, as such plan may be approved or modified by the Planning Commission at the time of the final site plan review;

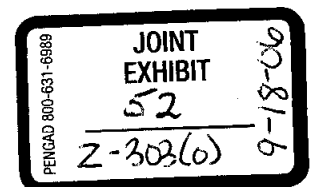
NOW, THEREFORE, in consideration of the foregoing recitals, each of which are hereby incorporated in and made a substantive part of this Declaration, DECLARANT hereby enters into this Declaration of Covenants for the purposes stated above and declares that the Subject Property shall be developed subject to the following restrictions:

### ARTICLE 1 DEVELOPMENT STANDARDS

The Subject Property shall be constructed at less than the maximum standards permitted in the E-1 zone as of the date of rezoning of the Subject Property as specified below:

1. Yard Requirements.

Buildings to be constructed on the Subject Property shall provide not less than the following setbacks for yards:



Front: 37 feet  
Side: 30 feet  
Rear: 30 feet

ARTICLE 2  
LIMITATIONS ON USE

Use of the Subject Property shall be restricted to the following:

- a. Warehousing, storage and distribution facility
- b. Offices accessory to the principal use
- c. Research, experimental and testing labs
- d. Telecommunications facilities for roof top mounted cellular telephone antennas
- e. Residence for caretaker accessory to the principal use

ARTICLE 3  
RESTRICTIONS AND LIMITATIONS

The restrictions and limitations set forth herein shall only become applicable and binding upon the effective date of the rezoning of the entire Subject Property to the E-1 classification and the approval of the Schematic Development Plan and related conditions agreed upon. These restrictions and limitations shall then remain in effect thereafter until a) any part of the Subject Property is subsequently rezoned, or b) this Declaration of Covenants is modified with the approval of the City of Gaithersburg. Articles 1 and 2 describe the binding elements of this application for rezoning under the Optional Method of development.

IN WITNESS WHEREOF, DECLARANT has hereunto set its hand and seal the date first above written.

Witness:

TRAVIS AVENUE SELF STORAGE, LLC

By \_\_\_\_\_

STATE OF MARYLAND, COUNTY OF MONTGOMERY, to-wit:

ON THIS \_\_\_\_ day of \_\_\_\_\_, 2006, before me, the undersigned officer, personally appeared \_\_\_\_\_, for TRAVIS AVENUE SELF STORAGE, LLC, known to me to be the person whose name is subscribed to the foregoing, and being authorized so to do, executed the same as the act and deed of TRAVIS AVENUE SELF STORAGE, LLC for the purposes therein contained.

WITNESS my hand and official seal the same day and year first above written.

\_\_\_\_\_  
Notary Public

My Commission expires: \_\_\_\_\_



CITY OF GAITHERSBURG  
31 South Summit Avenue  
Gaithersburg, Maryland 20877  
Telephone: 301-258-6330

### NOTICE OF JOINT PUBLIC HEARING

The City of Gaithersburg Mayor and Council and Planning Commission will conduct a public hearing at the time and place noted below.

*Meeting:* **MAYOR AND CITY COUNCIL**  
*Application Type:* **ZONING MAP AMENDMENT**  
*File Number:* **Z-303(o)**  
*Location:* **GAME PRESERVE ROAD BETWEEN ARROWSMITH COURT AND TRAVIS AVENUE**  
*Applicant:* **JODY KLINE, ESQ. FOR TRAVIS AVENUE SELF STORAGE LLC**  
*Current Zoning:* **C-2 (GENERAL COMMERCIAL) ZONE**  
*Requested Zone:* **E-1 (URBAN EMPLOYMENT) ZONE**  
*Day/ Date/Time:* **SEPTEMBER 18, 2006; 7:30 PM**  
*Place:* **COUNCIL CHAMBERS, GAITHERSBURG CITY HALL  
31 SOUTH SUMMIT AVENUE**

**\*\*\*IMPORTANT\*\*\***

This is an application to rezone 1.2099 acres of land, currently known as Lot P-87, the Duane Property, located off Old Game Preserve Road between Arrowsmith Court and Travis Avenue in the City of Gaithersburg, from the existing C-2 (General Commercial) Zone to the E-1 (Urban Employment) Zone, under the Optional Method of rezoning, in accordance with §24-196 (map amendments) and §24-198 (optional method) of the City Code. This is a joint public hearing which allows the public an opportunity to participate and comment on the request. Contact the Planning and Code Administration City Planner listed below at (301) 258-6330 if you should have any questions and/or to learn more about this process and your ability to offer testimony and input.

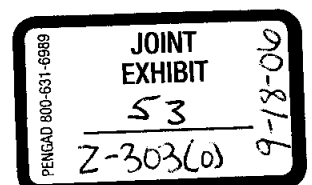
Joint Mayor and City Council & Planning Commission meetings can be viewed live on Gaithersburg Cable Television Channel 13, and at anytime (on demand) two weeks after the public hearing via the Internet and Web TV at <http://www.gaithersburgmd.gov>

CITY OF GAITHERSBURG

By: \_\_\_\_\_

Rob Robinson, Planner  
Planning and Code Administration

**SEE LOCATION MAP ON REVERSE SIDE**



**NOTICES SENT THIS 31<sup>TH</sup> DAY OF AUGUST, 2006, TO:**

**APPLICANT AND INTERESTED PARTIES**

(A list of interested parties and agencies is available in the file in the Planning and Code Administration.)

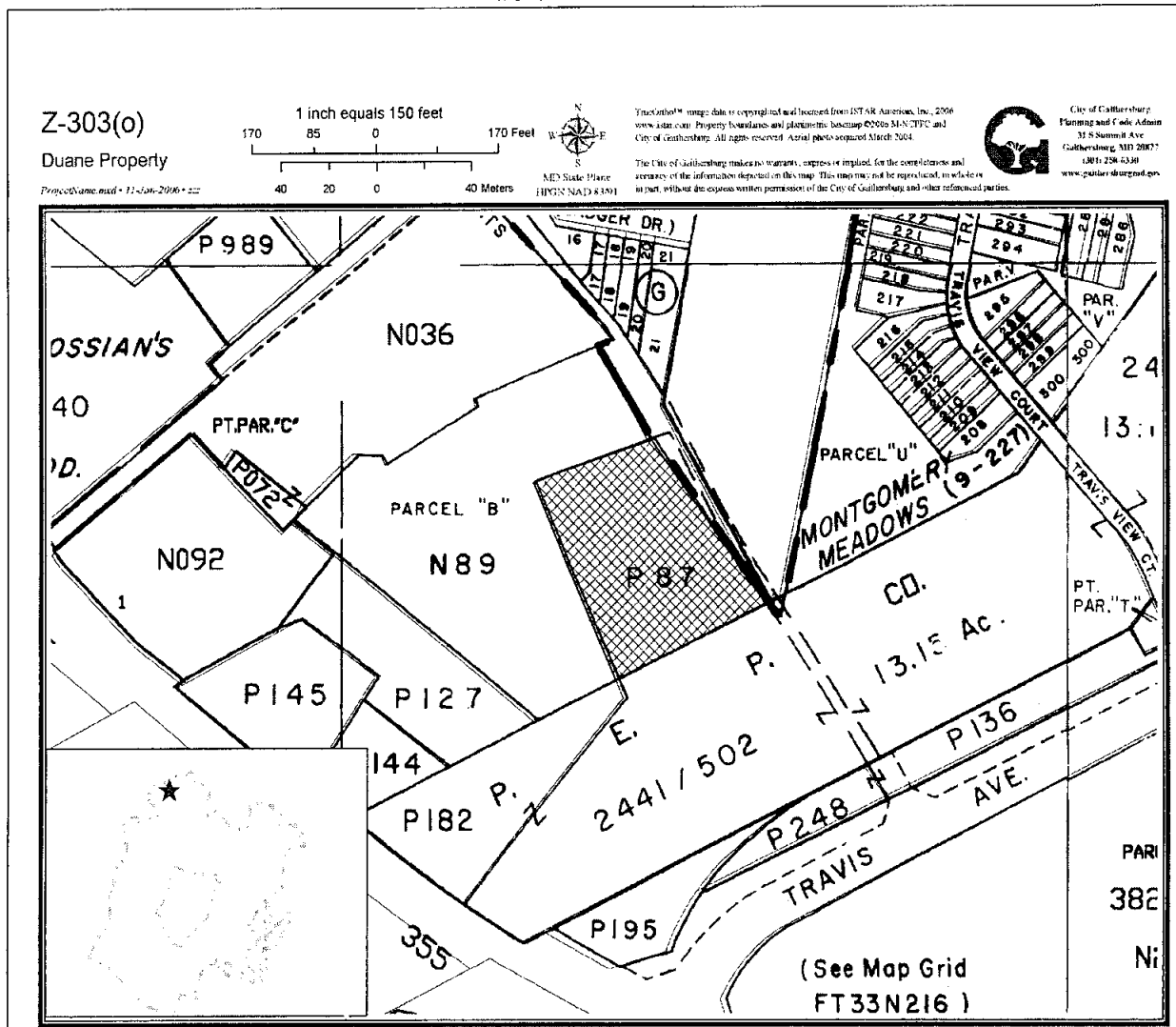
**MAYOR AND COUNCIL**

**PLANNING COMMISSION**

**CITY STAFF**

David B. Humpton, City Manager  
Frederick J. Felton, Assistant City Manager  
Tony Tomasello, Assistant City Manager  
Cathy Borten, City Attorney  
Britta Monaco, Public Information Director  
Doris Stokes, Administrative Assistant  
Jeff Baldwin, City Web Administrator (via email)

**LOCATION MAP**



Jody S. Kline, Esquire  
Miller, Miller & Canby  
200B Monroe Street  
Rockville, MD 20850

Arrowsmith Court LC  
4800 Montgomery Lane, Suite 920  
Bethesda, MD 20814-3456

Potomac Electric Power Company  
c/o Corporate Tax Dept., St. 5617  
701 9<sup>th</sup> Street, N.W.  
Washington, D. C. 20068-0001

Miranda, LLC  
P. O. Box 5691  
Derwood, MD 20855-0691

Prospect Limited Partnership  
11411 Rockville Pike  
Kensington, MD 20895-1011

Montgomery County, MD  
101 Monroe Street  
Rockville, MD 20850-2503

Lakeforest Glen Homeowners  
Association, Inc.  
204 Monroe Street, Suite 201  
Rockville, MD 20850-4425

Housing Opp. Commission of  
Montgomery County  
10400 Detrick Avenue  
Kensington, Md 20895-2440

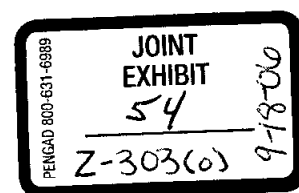
E. George & R. M. Pilligua  
10814 Badger Drive  
Gaithersburg, MD 20879-3119

Indira E. Gendendaram  
10816 Badger Drive  
Gaithersburg, MD 20879-3119

Housing Opp. Commission of  
Montgomery County  
1400 Fenwick Lane  
Silver Spring, MD 20910-3351

Jose C. & Elena M. Hernandez  
10820 Badger Drive  
Gaithersburg, MD 20879-3119

Nicholas Pendleton &  
Michelle Castellanas  
10810 Badger Drive  
Gaithersburg, MD 20879-3119





LAW OFFICES

# MILLER, MILLER & CANBY

CHARTERED

200-B MONROE STREET  
ROCKVILLE, MARYLAND 20850

(301) 762-5212  
FAX (301) 762-6044

JSKLINE@MMCANBY.COM

August 25, 2006

Mr. Dan Hardy  
Transportation Planning Division  
Maryland-National Capital Park and Planning Commission  
8787 Georgia Avenue  
Silver Spring, MD 20910

RE: City of Gaithersburg Zoning Application No. Z-303(o),  
Application of Travis Avenue Self Storage LLC;  
Old Game Preserve Road

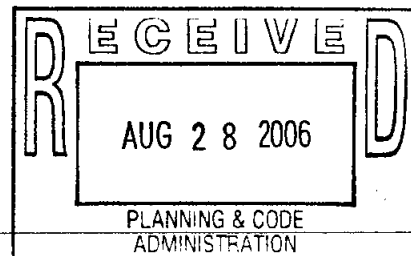
Dear Dan:

I represent an entity called CE Group, Inc., which is the applicant for rezoning for a parcel of land located within the City of Gaithersburg the location of which is shown highlighted in yellow on the attached tax plate map. At the suggestion of a number of people, I am writing to you to obtain confirmation from Maryland-National Capital Park & Planning Commission of the master plan right-of-way for adjacent Old Game Preserve Road.

Our client's zoning application has triggered a review by the City of the dedication necessary to create an adequate width for Game Preserve Road. At a recent City of Gaithersburg Development Review Team meeting, Sam Farhadi attended representing the Montgomery County Department of Public Works and Transportation. Old Game Preserve Road is a street maintained by Montgomery County. I believe that during the DRT meeting there was some discussion about the width of the roadway. (Our plans for development of the subject property contemplate a fifty foot wide right-of-way.) At the conclusion of the discussion, it was agreed that your agency should make final determination of the width of Old Game Preserve Road. I discussed this matter with Trudy Schwarz of the City Planning Department (301.258.6330) who recommended that I write you directly asking for an opinion, rather than wait for the City to request confirmation. Nancy Sturgeon also suggested that I write you.

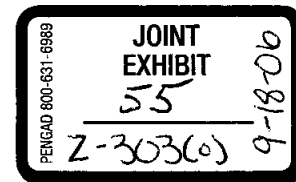
To reach our conclusion that Old Game Preserve Road should have a 50-foot right-of-way, we first reviewed the Gaithersburg and Vicinity Master Plan and found no reference in the Plan to a width for Game Preserve Road. (See attached excerpts from the Master Plan.)

More relevant, I located materials from another matter on which I worked last year, that is, the "Whetstone Run" rezoning and subdivision for a confronting property located within Montgomery County directly across Old Game Preserve Road from the subject property. A copy of our research and



JAMES R. MILLER, JR.  
PATRICK C. MCKEEVER  
JAMES L. THOMPSON  
LEWIS R. SCHUMANN  
JODY S. KLINE  
ELLEN S. WALKER  
MAURY S. EPNER  
JOSEPH P. SUNTUM  
SUSAN W. CARTER  
ROBERT E. GOUGH  
GLENN M. ANDERSON\*  
DONNA E. McBRIDE  
MICHAEL G. CAMPBELL  
SOO LEE CHO

*\*Licensed in Maryland and Florida*



conclusions are found in the attached letter to Rob Robinson of the City Planning Staff. In response to my letter of August 15<sup>th</sup>, Sam Farhadi called back and said that I had misunderstood his office's position. They do not object to dedication in accordance with a fifty foot right-of-way. MCDPW&T simply wants to make sure that your office is involved in making the determination that fifty feet is the appropriate and adequate amount of dedication.

Candidly, I can't imagine how your office would come to any other conclusion than that Old Game Preserve Road, in the location adjacent to our property, is fifty feet wide. During the processing of the zoning application for the "Whetstone Run" property (Zoning Application No. G-812), your Department's recommendations (via Ed Axler) were that the Whetstone Run subdivision would have to dedicate land so that twenty-five feet from the centerline of the existing Old Game Preserve Road would be achieved. The plat for "Whetstone Run" (attached) was recorded in June of this year and it shows dedication consistent with that requirement.

At your convenience, after you have had a chance to verify the information contained in this letter and its attachments, could you please confirm for the benefit of the City of Gaithersburg that Old Game Preserve Road, along its frontage with the subject property, should have a right-of-way width of fifty feet. Of course, if you have any questions about this matter please contact me. It would help if your comments were in writing to:

Rob Robinson  
Department of Planning and Code Enforcement  
Gaithersburg City Hall  
31 South Summit Street  
Gaithersburg, Maryland 20877

Thank you for your attention to this matter.

Sincerely yours,

MILLER, MILLER & CANBY



Jody S. Kline

JSK/dlt

Enclosures

cc: Trudy Schwarz  
Rob Robinson  
Ollie Mumpower  
Sam Farhadi  
Nancy Sturgeon  
Trey Burke  
Diane Tipton  
Jim Hendricks  
Victoria Bryant  
Sam Butz  
Donna McBride, Esq.

**Rob Robinson - Duane Property site plan**

---

**From:** Ivan Humberson  
**To:** Vcbryant@mhgpa.com  
**Date:** 08/25/2006 10:59 AM  
**Subject:** Duane Property site plan  
**CC:** Burnette, Wes; Robinson, Rob; Schwarz, Trudy

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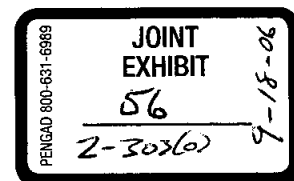
Ms. Bryant,

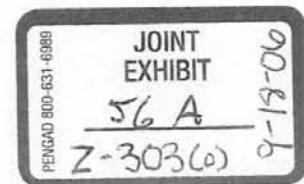
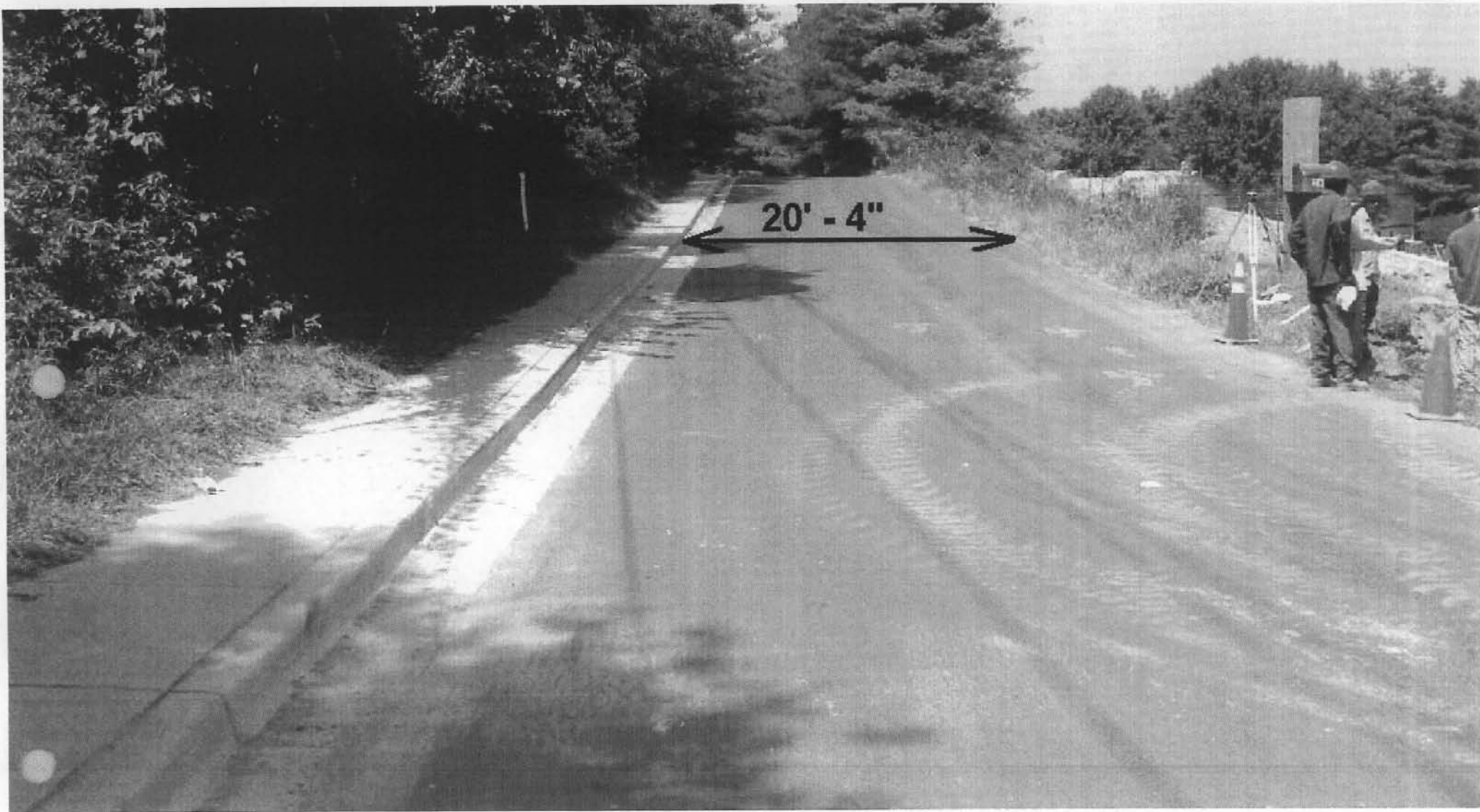
I have received and reviewed the July 06 site plan for the Duane Property (MHG Project 06-113) located along Old Game Preserve Road. The site plan submitted, however, does not appear to accurately reflect the actual width of Old Game Preserve Road. On the site plan, Old Game Preserve Road is dimensioned at 26 feet width just to the northeast of the main entry to the site. Upon a recent visit to the site, however, I measured the road width at this location, and the road width is only 20'-4". (see "OGPR at site looking NW") The road width just southeast of the site is 23 feet, but it narrows considerably as it continues toward Travis lane. (see "OGPR at site looking SE") Further toward Travis, the road narrows to 17'-6", and then widens to 18'-4" near the intersection. (see "OGPR from Travis 2" and "OGPR from Travis") Traveling from the site toward the northeast (to Arrowsmith Court), the road again narrows to approximately 17'-2", +/- a few inches, depending on the point at which the measurement is taken. This dimension is from the curb to the edge of pavement, and it is further decreased by the encroachment of the trees and brush along the road. (see "OGPR from Arrowsmith")

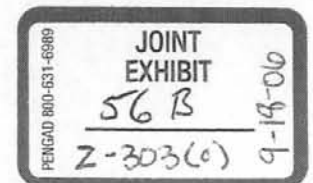
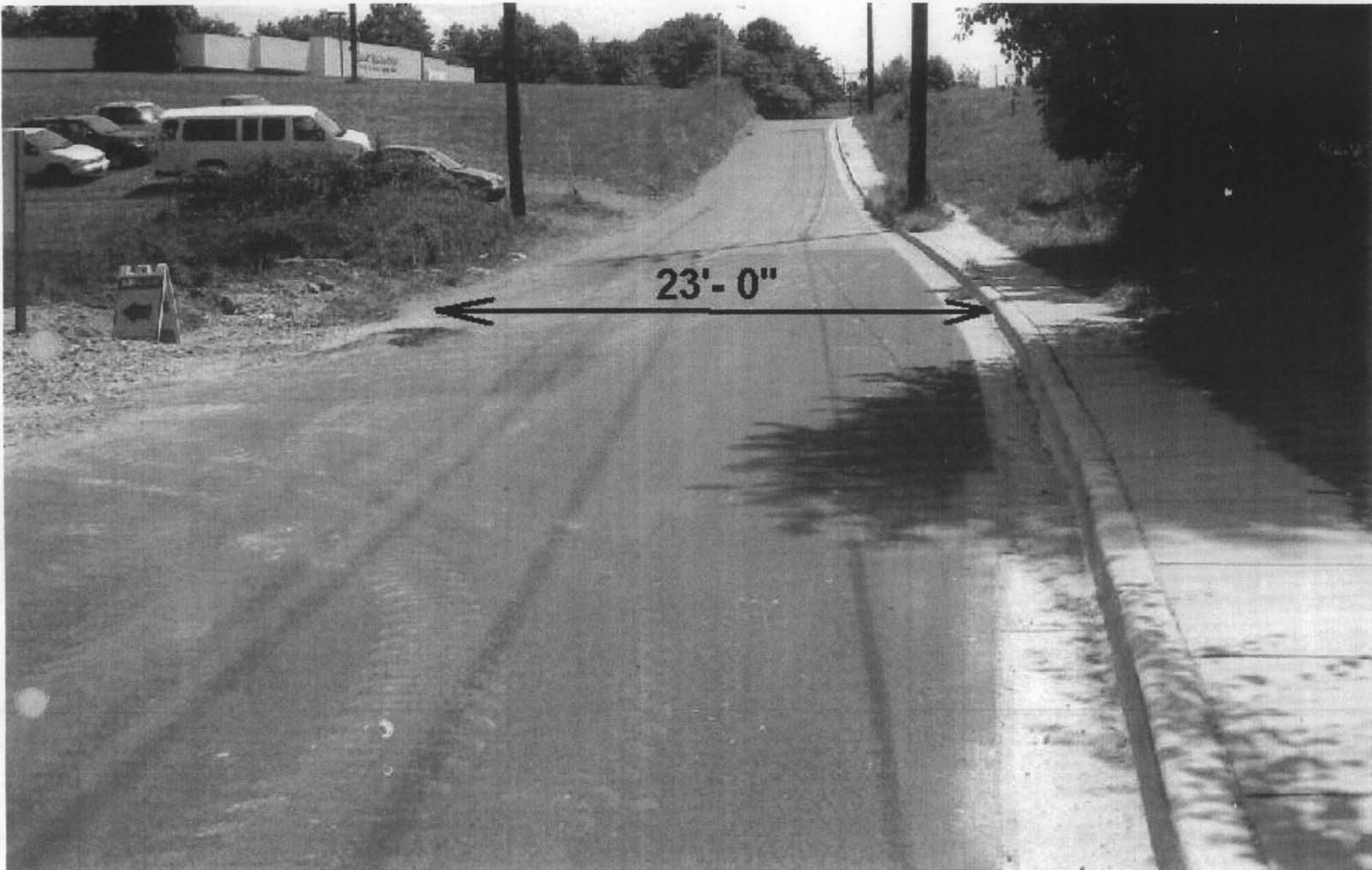
In accordance with Section 18.2.2 of NFPA 1, the Uniform Fire Code (2003 Edition), fire department access roads are required to be provided to within 50 feet of the exterior door of a building and said roads must have an unobstructed width of not less than 20 feet. Since Old Game Preserve Road is not of adequate width to allow for fire department access from either direction, I cannot give my approval to this project unless Old Game Preserve Road is first improved to be adequate width from both directions. (If it is widened in one direction only, it would require a turnaround of at least 90 feet diameter.)

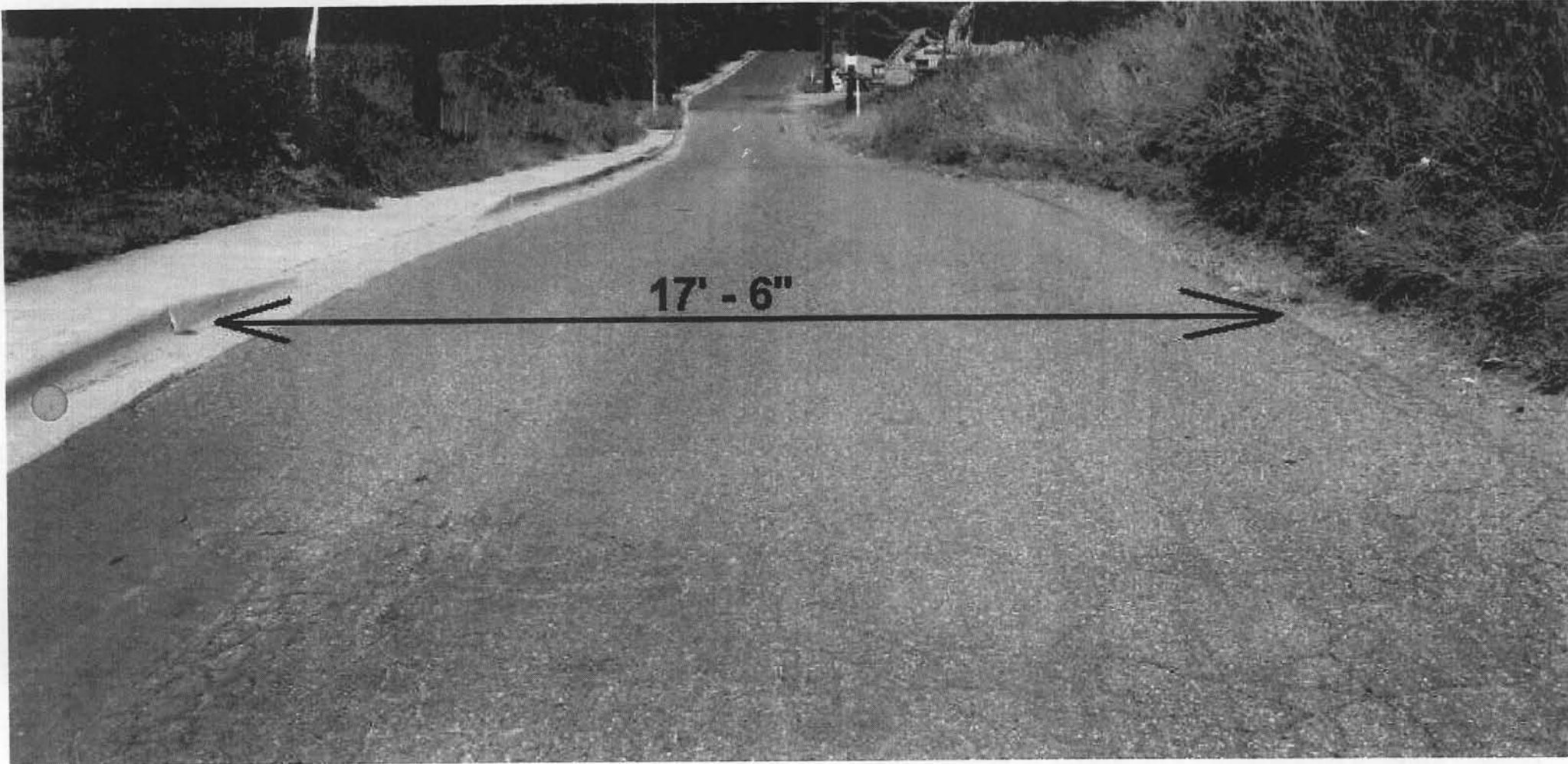
Thank you for your attention to this matter. Please contact me if you have any questions.

Ivan.

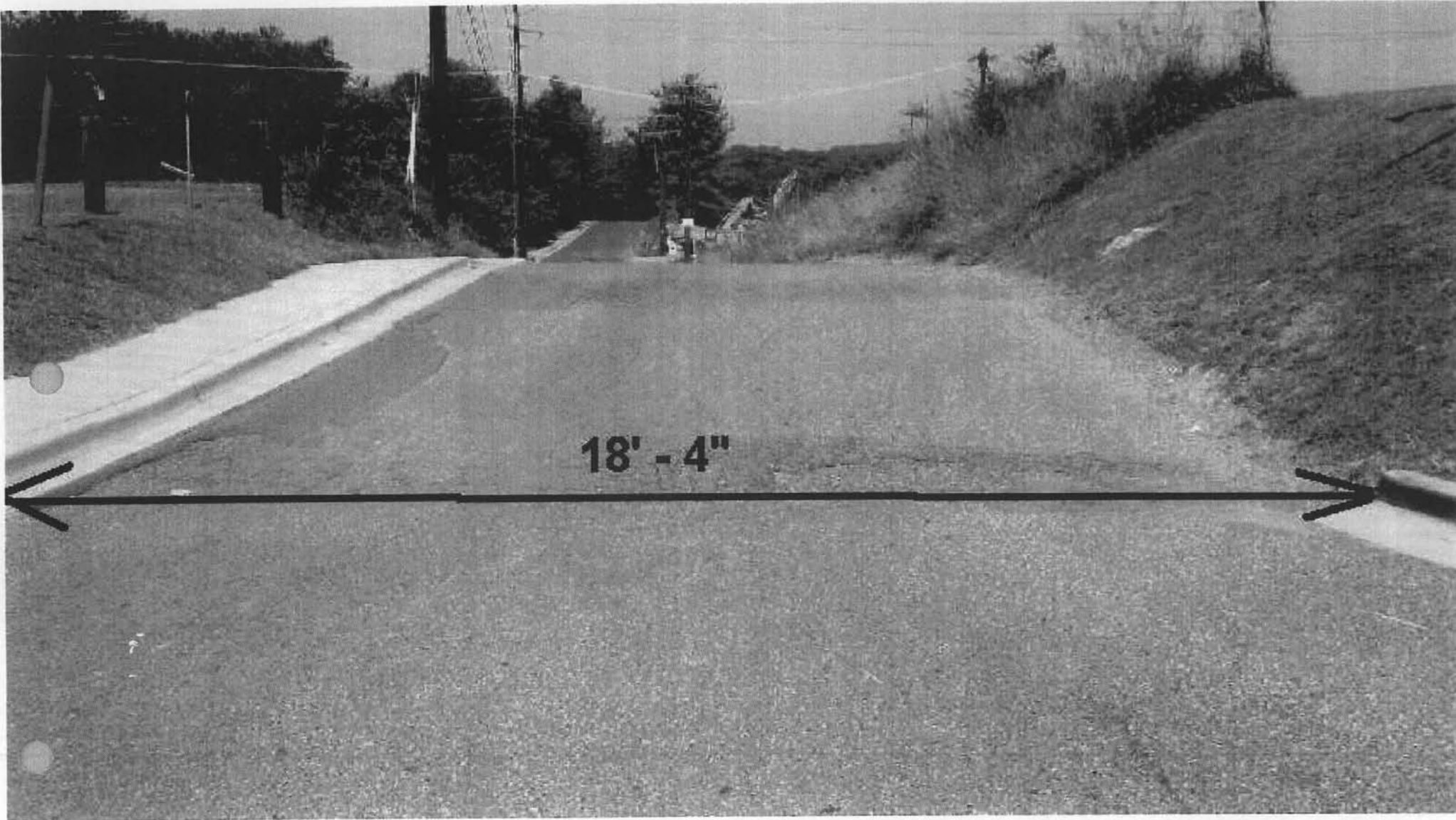














17' 2"

PENGAD 800-631-6989

JOINT  
EXHIBIT

56 E

Z-303(o)

9-18-06



# The Gazette Newspapers

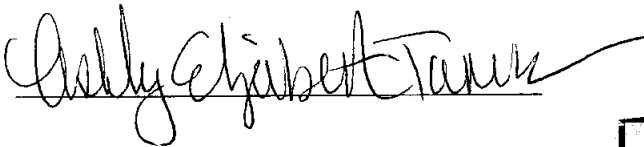
9030 Comprint Court, Gaithersburg, Maryland 20877, 301-670-2620

## CERTIFICATION OF PUBLICATION

THIS IS TO CERTIFY THAT THE ANNEXED LEGAL ADVERTISEMENT HAS BEEN PUBLISHED IN THE GAZETTE NEWSPAPERS FOR THE NUMBER OF INSERTIONS INDICATED BELOW.

### NOTICE OF PUBLIC MEETING: Z-303(O)

Gazette Legal Advertising Department



Ashby Elizabeth Tanner  
Notary Public, State of Maryland  
Montgomery County  
My Commission Expires April 6,

#### Copy of Ad attached

Ad Order Number: 0010509499 - 1532183

Dates: St.: 8/30/06 End: 9/6/06 Ins.: 2

#### NOTICE OF PUBLIC MEETING

The Mayor and Council and Planning Commission of the City of Gaithersburg will conduct a joint public hearing on Z-303(o), filed by Jody Kline, Esq., for Travis Avenue Self Storage, LLC on

**MONDAY  
SEPTEMBER 18, 2006  
AT 7:30 P.M.**

or as soon thereafter as this matter can be heard in the Council Chambers at 31 South Summit Avenue, Gaithersburg, Maryland.

This is an application to rezone 1.2099 acres of land, currently known as Lot P-87, the Duane Property, located off Old Game Preserve Road between Arrowsmith Court and Travis Avenue in the City of Gaithersburg, from the existing C-2 (General Commercial) Zone to the E-1 (Urban Employment) Zone, under the Optional Method of rezoning, in accordance with §24-196 (map amendments) and §24-198 (optional method) of the City Code.

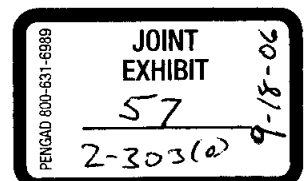
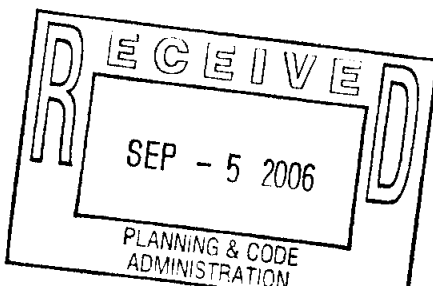
Further information may be obtained from the Planning and Code Administration Department at City Hall, 31 South Summit Avenue, between the hours of 8 a.m. and 5 p.m., Monday through Friday, or visit the City's website at [www.gaithersburgmd.gov](http://www.gaithersburgmd.gov).

Rob Robinson, Planner  
Planning and Code Administration  
RR III

10509499

(8-30,9-6-06)

1532183



**BEFORE THE CITY COUNCIL OF THE CITY OF GAITHERSBURG, MARYLAND**

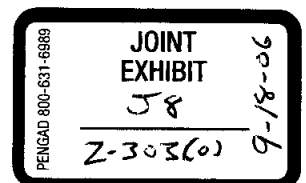
**IN THE MATTER OF THE APPLICATION OF                   :       Zoning Application**  
**TRAVIS AVENUE SELF STORAGE LLC                   :       No. Z-303(o)**  
**FOR REZONING FROM THE C-2 TO THE E-1 ZONE:**

**APPLICANT'S SUPPLEMENTAL STATEMENT**  
**IN SUPPORT OF ITS REZONING REQUEST**

Travis Avenue Self Storage LLC, the Applicant for rezoning in Case No. Z-303(o) wishes to supplement and amplify the information previously submitted with the Applicant's Statement in Support of Its Rezoning Request, and in doing so states as follows:

The current zoning of the subject property is C-2 (General Commercial). The property has borne that classification since 1997 (Ordinance No. 0-12-97) when a comprehensive rezoning implemented the recommendations of the 1996 Neighborhood Six Land Use Plan. Prior to that time, the property was rezoned to the I-3 (Industrial and Office Park) zone.

During 2002, the Mayor and City Council began an update to the City Master Plan with the goal of consolidating the respective neighborhood master plans into a unified planning document. The 2003 Master Plan identified the subject property and its development potential and constraints, resulting in a recommendation that the property be placed in an "Industrial" land use classification and be rezoned from the C-2 to the I-3 category. Adoption of the Master Plan was not followed by a sectional map amendment that would have converted the existing C-2 zoning in accordance with the Master Plan recommendations. Previously, the January, 2001 Frederick Avenue Corridor Land Use Plan had not included the subject property within the limits of what was termed the "Northern Employment District".



In summary, the zoning history of the subject property and the surrounding neighborhood for the last ten years shows a retreat from the 1996 comprehensive zoning of C-2 due to the poor suitability of the subject property and neighboring properties for retail uses and comparative shopping opportunities. The current master plan recommendation of "Industrial" can only be achieved through the requested rezoning to the E-1 classification due to the fact that the I-3 zone (recommended in the 2003 Master Plan) cannot be mapped on the property because the property does not meet the minimum acreage requirements (two acres) for that industrial zone. Therefore, the subject application represents the best opportunity to foster the Master Plan goals by allowing creation of a use with a minimum of impact on the surrounding area.